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HEARINGS

BEFORE THE

COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

FIRST SESSION

ON

H.R. 2375

CROPLAND ADJUSTMENT PROGRAM AGREEMENTS

H.R. 8077 and H.R. 8656

CONVEY LANDS TO THE CITY OF GLENDALE, ARIZ.

H. Con. Res. 90 and H. Con. Res. 413

WORLD FARM CENTER

H.R. 10864

CONVEYANCE OF LANDS IN SALINE COUNTY, ARK.

S. 2195

DELIVERY OF RICE MARKETING EXCESS TO COMMODITY
CREDIT CORPORATION

Serial GG

Printed for the use of the Committee on Agriculture



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WASHINGTON : 1967

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CONTENTS

H.R. 2375

	Page
H.R. 2375, a bill to amend the Food and Agriculture Act of 1965-----	1
Freeman, Hon. Orville L., Secretary of Agriculture, letter of May 24, 1967--	1
Statement of:	
Cox, Charles M., Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture-----	3
Graham, Harry L., legislative representative, National Grange-----	9
Roush, Hon. J. Edward, a Representative in Congress from the State of Indiana-----	9
Stubblefield, Hon. Frank A., a Representative in Congress from the State of Kentucky-----	2

H.R. 8077 AND H.R. 8656

H.R. 8656, a bill to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz-----	11
Freeman, Hon. Orville L., Secretary of Agriculture, letter of June 22, 1967--	12
Resolution of the city of Glendale, Ariz-----	14
Statement of:	
Mangham, Francis R., Deputy Administrator, Administrative Man- agement, Agricultural Research Service, U.S. Department of Agriculture-----	17
Rhodes, Hon. John J., a Representative in Congress from the State of Arizona-----	17
Steiger, Hon. Sam, a Representative in Congress from the State of Arizona-----	13

HOUSE CONCURRENT RESOLUTIONS 90 AND 413

House Concurrent Resolution 413, resolution endorsing the concept of a World Farm Center-----	21
California Assembly concurrent resolution No. 6, relating to the World Farm Center-----	24
Eberly, Sam, secretary, San Bernardino County Farm Bureau:	
Letter of May 26, 1967-----	24
Telegram of July 17, 1967-----	23
Snider, Howard J., mayor, city of Ontario, Calif., telegram of July 17, 1967--	24
Statement of:	
Amundsen, Howard, executive secretary, World Farm Center-----	24
Hanna, Hon. Richard T., a Representative in Congress from the State of California-----	28
Pettis, Hon. Jerry L., a Representative in Congress from the State of California-----	22

H.R. 10864

H.R. 10864, a bill to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes-----	33
Freeman, Hon. Orville L., Secretary of Agriculture, letter of November 1, 1967-----	33
Statement of:	
McRorey, Russell P., Director, Division of Land Adjustments, Forest Service, U.S. Department of Agriculture-----	37
Pryor, Hon. David, a Representative in Congress from the State of Arkansas-----	35

IV

S. 2195

S. 2195, an act to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended-----	Page 39
Fitzgerald, Ray, Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, statement of-----	39
Freeman, Hon. Orville L., Secretary of Agriculture, letter of July 17, 1967--	44

CROPLAND ADJUSTMENT PROGRAM AGREEMENTS

WEDNESDAY, JULY 12, 1967

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met, pursuant to notice, at 11:15 a.m., in room 1301, Longworth House Office Building, Washington, D.C., Hon. W. R. Poage (chairman) presiding.

Present: Representatives Poage, Gathings, Abernethy, Jones of Missouri, Stubblefield, Foley, de la Garza, Vigorito, Jones of North Carolina, Nichols, Belcher, Rarick, Teague of California, Mrs. May, Dole, Hansen, Wampler, Miller, Burke, Mathias, Mayne, Zwach, Kleppe, and Price.

Also present: Christine S. Gallagher, clerk; Hyde H. Murray, assistant counsel; Francis LeMay, staff consultant; and Fowler C. West, assistant consultant.

The CHAIRMAN. The committee will come to order.

We have before us H.R. 2375.

(H.R. 2375 and departmental report follow:)

[H.R. 2375, 90th Cong., first sess.]

A BILL To amend the Food and Agriculture Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602(a) of the Food and Agriculture Act of 1965 is amended by adding at the end thereof the following new sentence: "The foregoing provision shall not prevent a producer from placing a farm in the program if the farm was acquired by the producer to replace a farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain."

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 24, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request of March 16, 1967, for a report on H.R. 2375, a bill "To amend the Food and Agriculture Act of 1965."

This Department recommends that the bill be passed.

Section 602(a) of the Food and Agriculture Act of 1965 now provides, with certain exceptions, that a cropland adjustment program agreement shall not be entered into on land of which the ownership has changed during the 3-year period preceding the first year of the agreement. H.R. 2375, if enacted, would permit placing in the program without regard for the term of past ownership a farm acquired by an otherwise eligible producer to replace one from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain. This would be in line with provisions of other programs involving such cases.

The enactment of H.R. 2375 would have the effect of making a few additional farms eligible to participate in the program. This could slightly increase the total fund requirements of the cropland adjustment program, except that when all producers' requests to participate exceed the amount of the authorized program, there would be no increased total cost.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

The CHAIRMAN. We will recognize Mr. Stubblefield.

STATEMENT OF HON. FRANK A. STUBBLEFIELD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. STUBBLEFIELD. Mr. Chairman and members of the committee H.R. 2375 would amend section 602(a) of the Food and Agriculture Act of 1965 by providing that if a producer is displaced from a farm due to its acquisition by any Federal, State, or other agency having the right of eminent domain, he may enter into a cropland adjustment program agreement on another farm which he has acquired to replace the one from which he was displaced.

You will note, Mr. Chairman, the Cropland Adjustment Act has a limitation of 3 years contained therein, placed on it timewise, before a farmer can enter into the cropland adjustment program.

Without this legislation, Mr. Chairman, the farmer could not enroll the replacement farm in the CAP.

The pertinent part of section 602(a) of this act states:

No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period.

For example, if there is a piece of land within the State of Kentucky, in my area, and is for any reason owned by a man in Tennessee and if the Bureau of the Budget comes along and takes over that land under an acquisition program for certain reasons, the people whose land is acquired, within the 3-year period, living in Tennessee are eligible to share in the CAP program and the land that is being acquired for one reason or another 3 years later is not eligible. So, this is really a matter of equity that is beyond the control of the farmers in this situation.

This is a situation that you run into, though I might state there are very few. I am sure that it affects some areas otherwise, too, where land is taken over in exercising the right of eminent domain by the Government.

The CHAIRMAN. Your problem really lies in the fact that this land has changed hands in the 3-year period, is that it?

Mr. STUBBLEFIELD. This is in the exercise of eminent domain.

The CHAIRMAN. I understand that.

The present law, as I understand it, provides that no agreement shall be entered into concerning land where the ownership has changed within the 3-year period of time. That is what you are taking out?

Mr. STUBBLEFIELD. That is it.

The CHAIRMAN. I am not criticizing, but I am trying to find out what this is.

Your trouble is that the law says that if the land is sold within 3 years from the time it is condemned you cannot——

Mr. STUBBLEFIELD. It has to be relocated. The Government goes in and says, "We will take your farm." He moves over to another county and buys another farm, but he is precluded from sharing in the CAP because of the 3-year limitation. This is an extension to the 3-year limitation.

Mr. DOLE. It is an extension?

Mr. STUBBLEFIELD. Yes.

The CHAIRMAN. Now, I understand you to say, "Yes". I first understood you to say, "No".

The problem is that this land has changed hands within 3 years. I mean, are you telling us that the ownership has changed within the 3-year period of time?

Mr. STUBBLEFIELD. It has not, but it is going to.

The CHAIRMAN. It is going to?

Mr. BELCHER. If you will yield. You condemn the land; that is, the governmental agency does. They have to go someplace else to buy land, and, as I understand it, they want to transfer the allotment to the new farm.

Mr. STUBBLEFIELD. Yes.

Mr. BELCHER. But the farmer cannot do it for 3 years because of this particular section that says since he has bought the farm within the 3-year period that that cannot happen, and if he buys another farm, even though it is within the 3-year period of time, he cannot ask for the allotment.

Mr. STUBBLEFIELD. Yes. Well, he has to wait.

Mr. BELCHER. That is what I say. He cannot do it, unless you make an exception in here for the farmer who has entered into this arrangement.

We do not want to open up a new program. It is only if a man has had his land condemned, as I understand it. That is it.

The CHAIRMAN. That is correct.

(Discussion was had outside the record.)

Mr. STUBBLEFIELD. I believe Mr. Cox from the Department could give us an answer to that.

The CHAIRMAN. Let us hear from Mr. Cox then.

STATEMENT OF CHARLES M. COX, ASSISTANT DEPUTY ADMINISTRATOR, STATE AND COUNTY OPERATIONS, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE; ACCOMPANIED BY CARL ROSE, OF THE GENERAL COUNSEL'S OFFICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Cox. Mr. Chairman and members of the committee, I have a prepared statement which I would like to submit for the record.

The CHAIRMAN. I have read your statement, but I must confess I do not understand it. It will be made a part of the record at this point.

(The prepared statement submitted by Mr. Cox follows:)

STATEMENT OF CHARLES M. COX, ASSISTANT DEPUTY ADMINISTRATOR, STATE AND COUNTY OPERATIONS, A.S.C.S., U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the Committee, I am Charles M. Cox, Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

I am glad to appear before the Committee to present the Department's views with respect to H. R. 2375.

The Department recommends that H. R. 2375 be passed. The bill would amend section 602(a) of the Food and Agriculture Act of 1965 by providing that if a producer is displaced from a farm due to its acquisition by any Federal, State, or other agency having the right of eminent domain, he may enter into a cropland adjustment program agreement on another farm which he has acquired to replace the one from which he was displaced.

Without such legislation he could not enroll the replacement farm in the CAP. The pertinent part of section 602(a) of this act states: "No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period."

The number of cases involved and the increased program and administrative costs that would result from the enactment of this amendment would be very small. However, this treatment could be important to the individual farmers concerned.

The enactment of this amendment would show further support for the intention that the CAP is designed to help people make needed land use adjustments—sometimes called "people adjustment"—as well as to help bring about a needed balance of supplies with demand.

You know, of course, that the House of Representatives denied (in H. R. 10509) the 1968 budget request for authorization to accept new CAP agreements beginning with 1968. The Senate has not yet acted on this. However, the Department of Agriculture favors H. R. 2375 as an amendment for use in any year for which agreements can be accepted.

Mr. Chairman, I appreciate the opportunity to appear before this Committee. I shall be glad to respond to any questions. Thank you.

Mr. Cox. I will try to clarify it for you.

The purpose of the bill is to make an exception to the 3-year ownership rule that is a prerequisite at the present time for participation in the CAP.

All that Congressman Stubblefield is trying to do is to provide equitable treatment for those people who have their lands taken over through the exercise of the right of eminent domain, and where they subsequently decide they want to acquire another farm.

Under the eminent domain statute, the farmer has the right to have his allotment pooled for the farm that is taken over and later to transfer that allotment to other farms that he may subsequently acquire or to farms which he already owns.

All this bill would do would be to make those farms which are acquired within a 3-year period eligible for participation in the CAP. The Department endorses the bill.

The CHAIRMAN. Mr. Jones of Missouri.

Mr. JONES of Missouri. The land that was taken over by the exercise of the right of eminent domain, if he would have had it for 3 years, it would be eligible; otherwise, not?

Mr. Cox. This is not entirely clear in this bill, but it could be interpreted to mean this.

Mr. JONES of Missouri. If he did not have the authority on the land that was taken over under the right of eminent domain, he could not have it in the transfer then.

Mr. Cox. I am saying that the bill as drawn at the present time could cover the kind of situation that you describe.

Mr. JONES of Missouri. If I try to buy the land—if I own it 6 months and I have no allotment and the Government takes it over, then I would get an allotment somewhere else?

Mr. Cox. I may say also that the exception that is in the bill that deals with inheritance is also this broad. In other words, a farmer,

for example, who acquires a farm 6 months prior to the inauguration of the program and dies—the language in the statute at the present time is broad enough that his heirs would be eligible, though the original person would not be eligible.

This amendment is drawn in identically the same fashion. The committee may want to revise it to deal with the problem that you are talking about.

There is also another problem, Mr. Chairman, that the committee may want to consider in connection with this bill. You have identically the same problem with a 2-year ownership rule with respect to the cropland conversion program. There is no exception for land that is taken under the right of eminent domain. It would seem to us that if one of these situations is deserving the other is equally deserving, and the committee may wish to give consideration to an amendment here also.

The CHAIRMAN. How far are you going to let this go, the theory that this provision cannot prevent a man from getting an allotment if the farm was acquired by a Federal agency and he was displaced?

Mr. COX. The legislation would cover this—it says acquiring land.

The CHAIRMAN. That is, the time you start to acquire land in your particular area, but this is not just for western Kentucky. If the Government of the United States condemns the land, he is moved off that land, the question is: Are they going to get their allotment as a result of this bill now?

Mr. COX. They already have the right, Congressman Poage.

Mr. POAGE. I understand what they already have, but—

Mr. COX. They could be equally eligible for consideration for participation in the cropland adjustment program if the Congress sees fit to authorize that.

The CHAIRMAN. I understand he has the right to move his allotment. At least, he has the right to move his allotment if he acquires some other land within a limited time. I think it is a year, was it not, or something of that kind, to buy some other suitable land and he could move his allotment to that land?

Mr. COX. He has 3 years.

The CHAIRMAN. All right. That has long since passed.

Now, then, by virtue of this bill, is he going to be able to go out and get the allotment?

Mr. COX. Absolutely not.

The CHAIRMAN. Why?

Mr. COX. This does not affect him.

The CHAIRMAN. Why does it not?

Mr. COX. Because the eminent domain statute is a part of another law, as I understand it, Mr. Chairman, and this amendment only applies to situations where the farmer avails himself of the opportunity that he has under the eminent domain statute, to transfer an allotment or a base pooled for his benefit to another farm. He exercises that option within the 3-year period that he is permitted. This amendment says that if you acquire a farm then and move the allotment onto it, you can, notwithstanding the 3-year-ownership rule that is required as a prerequisite for the CAP, nevertheless, be eligible to participate in the CAP.

The CHAIRMAN. I do not read that in the bill. I hope that is what it does. I am sure that is the intention.

Mr. COX. This is what it means to us.

The CHAIRMAN. It says:

The foregoing provision shall not prevent a producer from placing a farm in the program if the farm was acquired by the producer to replace a farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain:

"Was displaced." It does not say anything about when. It just says if you were displaced. Just that he has the right to participate in the farm program no matter when he was displaced, as I see it.

Mr. COX. This particular amendment is an amendment to the Food and Agriculture Act of 1965.

The CHAIRMAN. Yes.

Mr. COX. I will have to ask Mr. Rose here, who is with me, where the eminent domain statute is found. I think it is a part of the Agricultural Adjustment Act of 1938, as amended. I know it has been in the law for many, many years.

The CHAIRMAN. Yes. But when you come along and say that it will not prevent him from doing these things; I fear he has a right to do these, regardless of what the eminent domain statute says.

Mr. COX. We do not interpret it that way.

The CHAIRMAN. Mr. Jones of North Carolina.

Mr. JONES of North Carolina. Would this clarify the situation, if this was added, that it was acquired—this is in line 7—by a producer to replace a farm participating in the CAP from which he was displaced?

Mr. COX. I believe that would be a little bit too restrictive because you may have situations where they are not participating in the program at present and they would like to participate in the future.

I think that you could reach Congressman Jones of Missouri's objection that he raised a while ago by saying that it would have to be eligible land. If you would substitute that language, I think that would be all right.

Mr. JONES of North Carolina. Under the terms of this bill, you, actually, put the farmer in the program without any previous history.

Mr. COX. Additional farmland would be eligible.

Mr. JONES of North Carolina. Yes.

Mr. COX. And I think you could reach Congressman Jones of Missouri's objection by requiring that the land that he has lost by the right of eminent domain also be eligible before the land which he acquired would be eligible. We would be glad to draw an amendment of that kind.

The CHAIRMAN. Does this apply to all of the allotted crops?

Mr. COX. Yes, sir.

The CHAIRMAN. Take peanuts that has an allotment of 1,610,000 acres.

Mr. COX. Right.

The CHAIRMAN. You could add several thousand acres here, could you not?

Mr. COX. No.

The CHAIRMAN. Why not?

Mr. COX. Because you still would not have any more acreage to distribute, Mr. Chairman.

The CHAIRMAN. Why would you not?

You just got through saying that you did not have to have an allotment on the original land.

Mr. Cox. If I said that, I did not intend to say that, Mr. Chairman. In other words, you have to have an allotment on the original land. It has to be pooled for your benefit, and moved to the new land in order to be able to participate at all.

The CHAIRMAN. I thought that was the purpose of Mr. Jones' question; that is, Mr. Jones of North Carolina.

Mr. JONES of North Carolina. It was.

The CHAIRMAN. Yes.

Mr. Cox. No. I think that Congressman Paul Jones' question dealt with the proposition that this bill is broad enough so that a farm which is not presently eligible for cropland adjustment and is lost under the right of eminent domain, if the farmer acquires another farm and has the allotment transferred to it, that the language in this bill is broad enough to make it eligible. I said that could be cured by requiring that the land which is lost under the right of eminent domain also be eligible for participation in the CAP as a prerequisite for permitting this to be done.

The CHAIRMAN. The former owner of the land acquires the right to do with the new land what he could have done had there been no exercise of eminent domain.

Mr. Cox. This is correct.

The CHAIRMAN. This is different from what you just got through saying.

Mr. DOLE. Mr. Cox, if the land acquired under eminent domain consists of 60 acres, and then the owner acquired 100 acres, how much would be eligible under the amendment, 160 or 60 acres?

Mr. Cox. Under the eminent domain statute, Congressman Dole, the local county committee has some authority with respect to the amount that can be transferred to the newly acquired farm, but the only restriction that they have is that it not result in allotments out of line with other farms in the community.

Mr. DOLE. You would not have any objection to having in this bill the requirement that one could not have any more eligibility on the replacement farm than before?

Mr. Cox. No; we would not have any objection to that.

The CHAIRMAN. Mr. Kleppe?

Mr. KLEPPE. May I just pursue this question of Mr. Dole's a second?

Then, there is no way that you can categorically answer this question: If a man has a 100-acre farm and acquires another farm and this land is taken by eminent domain, and he had 60 acres, he cannot answer specifically that he would have 160 acres; is that correct?

Mr. Cox. I cannot answer it categorically, but that is because of the fact that this may result in an allotment for the acquired farm that would be out of line with other farms in the community.

Mr. KLEPPE. Therefore, it is strictly up to the county committee?

Mr. Cox. The county committee has some discretion that they can exercise.

Mr. KLEPPE. Thank you. That is all, Mr. Chairman.

The CHAIRMAN. It looks to me like we are getting nowhere on this. I wonder if we could get a clearer explanation of what we are trying to do here, and what it does do and how it does it.

I do not mean to criticize Mr. Cox or Mr. Stubblefield or anybody. We are doubtless just dumb but I wonder if you would not get Mr.

Bagwell to come down here and give us some legal explanation of this thing, because it does not appear to work out as you say it does, at least, that is the way it appears to me.

We are talking about amending every allotment in the United States that is involved in this and every crop that has allotments involved, and it seems to me that it is a tremendous thing to pass this sort of thing out in a 15-minute discussion without legal help.

We might invite Mr. Bagwell to come down here and give us an explanation of this.

Mr. STUBBLEFIELD. I know that it refers to allotments. It would take it away from him; and when he relocates, he takes the 100 acres with it.

The CHAIRMAN. I do not think that the committee has any objection to that.

Mr. STUBBLEFIELD. That is the only issue. I am not interested in anything else.

The CHAIRMAN. But we want to know that that is all we are doing. I do not want to be adding thousands of acres to the cotton allotments or to the peanut allotments or to the tobacco allotments. I do not want it to be breaking down our programs.

Mr. Cox. I have a representative of the General Counsel's Office with me, Mr. Rose.

The CHAIRMAN. We also have several other witnesses that we have scheduled to hear this morning.

I feel that we have a responsibility here. I wish you would write it out so that we can understand it.

Mr. Cox. We will try to provide you with an example.

(The example is as follows:)

EXAMPLE

In 1966, a producer's 500-acre farm was acquired by the Tennessee Valley Authority. The producer had owned and operated the farm for a number of years. The farm had a cotton allotment of 100 acres. In 1967, the producer purchased a new farm consisting of 500 acres. The new farm had a small peanut acreage allotment but no cotton allotment. Pursuant to the provisions of section 378 of the Agricultural Adjustment Act of 1938, a cotton allotment of 100 acres was established for the new farm.¹

While the producer may now produce cotton and peanuts within the farm acreage allotments for such commodities, he may not under the existing provisions of section 602(a) of the Food and Agriculture Act of 1965 enter into an agreement under the Cropland Adjustment Program. Section 602(a) provides in pertinent part that except under certain conditions "no agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period."

The three-year ownership rule in section 602(a) is designed to prevent speculation in the Cropland Adjustment Program and makes ineligible land acquired for the purpose of program participation. By its terms, the three-year ownership rule is not applicable to two types of situations where it is clear that the change of ownership involves no speculation; *i.e.*, where the new ownership of the farm is acquired by will or succession as the result of the death of the previous owner, and where the farm has been operated for three or more years by the same person who will control the land for the entire agreement period.

¹ H.R. 2375 would make no changes in the eminent domain provisions of the Agricultural Adjustment Act of 1938, as amended. Section 378 of such Act provides that the allotment determined for any commodity for any land from which the owner is displaced because of the acquisition of the land for any purpose (other than the continued production of allotted crops) by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool. Upon application to the county ASC committee within three years after the date of displacement, any owner so displaced shall be entitled to have the acreage transferred from the pool and used in establishing allotments for other farms owned by him. The allotments so established shall be comparable with the allotments determined for other farms in the same area.

Enactment of H.R. 2375 would simply provide that a producer who has purchased a farm to replace one taken through eminent domain may participate in the program even though he has not owned his new farm for three years.

No speculation is involved in the purchase of a farm to replace one taken through eminent domain. Therefore, it would appear clear that the provisions of H.R. 2375 are not in conflict with the purpose of section 602(a).

The CHAIRMAN. Our next witness is a colleague of ours, Hon. J. Edward Roush of Indiana. You may proceed Mr. Roush.

STATEMENT OF HON. J. EDWARD ROUSH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. ROUSH. Mr. Chairman, I appreciate the opportunity to testify in support of the legislation proposed by Congressman Stubblefield and now before this committee for its consideration, H.R. 2375, a bill to amend the food and agriculture act of 1965.

I have introduced identical legislation myself and for many of the same reasons as those offered by Congressman Stubblefield. Although more individuals are affected in the State of Kentucky than in my own State of Indiana, I believe the inequality and injustice, whether affecting few or many, must be eradicated.

Mr. Chairman, it seems important to me that we right an obvious and insupportable wrong, which, though accidental, is no less serious. The individuals involved have suffered the loss of their property to Federal, State, or other agencies having the right of eminent domain and then are additionally deprived of the right to participate in a corpland adjustment program agreement because the Food and Agriculture Act of 1965 does not allow such participation in any case in which the ownership has changed during a 3-year period preceding the first year of the agreement.

H.R. 2375 would remedy this situation by allowing farms acquired by an eligible producer to replace ones from which they were displaced because of eminent domain rights, to participate in the program without regard for the term of past ownership.

The Department of Agriculture has assured us that the number of such cases would be minimal; that such action is in line with provisions of other programs involving such cases; that there would be no increased total cost.

Mr. Chairman, I strongly recommend the passage of H.R. 2375 as a valuable, important, and humane modification of our present legislation.

The CHAIRMAN. Thank you, Mr. Roush.

We have as a witness Mr. Harry L. Graham, legislative representative of the National Grange. Mr. Graham has asked that his statement be submitted for the record, and without objection, it will be made a part of the record.

(The statement submitted by Mr. Graham follows:)

STATEMENT OF HARRY L. GRAHAM, LEGISLATIVE REPRESENTATIVE, NATIONAL GRANGE

Mr. Chairman and members of the committee, the Grange is pleased to support H.R. 2375, introduced by the distinguished Congressman from Kentucky, Mr. Stubblefield, and related bills to permit the transfer of history of production to newly acquired farms by those who have lost land through the exercise of eminent domain by an agency of the government.

This seems to be such a reasonable and logical bill that we can understand no reason for objection to it. The history of production in crops under mandatory controls, as well as those under voluntary programs, is really the economic lifeblood of the farmer. Without these bases which are the result of the history of production, the farmer is effectively put out of business.

This transfer will in no way increase the acreage allocated to the crops that would be involved. It does, however, protect the interest of the farmer who has lost his acreage in action deemed to be in the general welfare.

The very rightness of the bill commends it to us, and we, in turn, urge your favorable consideration of this legislation.

The CHAIRMAN. With that, we will pass on to further business.

(Whereupon at 11:40 a.m., the committee proceeded to the consideration of other business.)

CONVEY LANDS TO THE CITY OF GLENDALE, ARIZ.

FRIDAY, JULY 14, 1967

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON RESEARCH AND EXTENSION
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 1301, Longworth House Office Building, Washington, D.C., the Honorable Thomas G. Abernethy (chairman of the subcommittee) presiding.

Present: Representatives Abernethy, Goodling, Mayne, and Kleppe.

Also present: Christine S. Gallagher, clerk; and Hyde H. Murray, assistant counsel.

Mr. ABERNETHY. The subcommittee will please come to order. The subcommittee is meeting for the purpose of taking testimony on companion bills H.R. 8077 and H.R. 8656, authored by Congressmen Steiger and Rhodes of Arizona, respectively.

Mr. Steiger, I understand that you have another meeting and are anxious to be heard and want to get away. We will hear from you right now. We will insert into the record H.R. 8077 and H.R. 8656, together with the report of the Department of Agriculture dated June 22, 1967.

(H.R. 8077 by Mr. Steiger and H.R. 8656 by Mr. Rhodes are identical bills, the text of which, and the departmental report follow:)

[H.R. 8656, 90th Cong., first sess.]

A BILL To authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Arizona

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey to the city of Glendale, Arizona, all right, title, and interest of the United States in and to those lands constituting the grounds of the Southwest Poultry Experiment Station, located in the city of Glendale, Arizona, which station has been scheduled for closing in the near future by the Department of Agriculture. The lands authorized to be conveyed by this Act, consisting of approximately twenty acres, the exact legal description of which shall be determined by the Secretary of Agriculture, shall be made only after a final determination has been made by the Secretary that such lands are no longer needed by the Department of Agriculture for poultry research purposes or for any other purpose. After such a determination has been made by the Secretary and before the conveyance of such lands is made, the Secretary shall make such disposition of improvements and facilities located on such lands as he deems to be in the best interest of the United States.

SEC. 2. The conveyance authorized by the first section of this Act shall provide that the lands so conveyed shall be used by the city of Glendale, Arizona, for park or recreational purposes only, and if they shall ever cease to be used for such purposes the title to such lands shall revert to the United States, which shall have the immediate right of reentry thereon. Such conveyance may be made subject to such other terms, conditions, and restrictions as the Secretary of Agriculture deems appropriate.

SEC. 3. The consideration to be paid by the city of Glendale, Arizona, for the lands conveyed under this Act shall be fixed by the Secretary of Agriculture in the same manner as the Secretary of the Interior fixes the price for lands sold under section 2(a) of the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741; 43 U.S.C. 869-1).

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 22, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your letter of April 24, 1967, requesting a report on H.R. 8077. The bill is entitled, "To authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Arizona."

The bill would authorize and direct the Secretary of Agriculture to convey to the city of Glendale, Arizona, approximately twenty acres of land presently constituting the Southwest Poultry Experiment Station. The conveyance of the land would take place only after a final determination by the Secretary that the land is no longer needed by the Department of Agriculture for poultry research purposes or for any other purpose. Further, the bill would require the city of Glendale, Arizona, to use the conveyed land for park or recreational purposes only. If the land is ever used for any other purpose, the title would revert to the Federal Government. The conveyance would be subject to such terms, conditions, and restrictions as the Secretary of Agriculture deems appropriate.

The land constituting the grounds of the Southwest Poultry Experiment Station at Glendale, Arizona, is comprised of approximately 20 acres. Records available to this Department indicate that title was acquired to approximately 10 acres in 1921, without cost to the Government. In 1933 the remaining 10 acres were acquired in friendly condemnation proceedings at a cost of \$4,500.

Preparations are now underway to discontinue all poultry research activities at the Southwest Poultry Experiment Station. This action is being taken as a result of an intensive study of the research program, including the adequacy of laboratory facilities. Cooperating officials of the Agricultural Experiment Station at Tucson, Arizona, have been informed of the decision to close down the research station.

The research station is located within the city of Glendale, and is divided by a busy highway. The population is increasing and the area is becoming nonagricultural. The laboratory facilities are outmoded and in need of replacement. Fifteen buildings were recommended for demolition in a 1960 property survey report. Other buildings require extensive repairs, particularly the electrical wiring, if continued in use. All the buildings are of very low cost construction. None are particularly suitable for modern day laboratory work or research under controlled environmental conditions.

In general, the original objectives of the research at Glendale have been accomplished. A large amount of information concerning management and nutrition of poultry under high-temperature, semiarid conditions has been released for use by the poultry and egg producers. In order to continue productive work at the Glendale station, the research program would have to be reoriented completely to meet the changing needs of the poultry industry in the Southwest. This would include greatly expanded environmental investigations to improve reproduction of poultry, including egg production, fertility and hatchability. Appropriate modern facilities would be required to undertake such a program, including a substantial increase in recurring financial support for the operations.

In recent times, the gross farm income from chickens and broilers in the five states served by the Glendale laboratory has decreased from 5% to 4% of the total for the United States. The income from poultry and egg production in the five states makes up less than 7% of the realized gross farm income. In states such as Maryland and Delaware, for example, poultry and egg production represents 34% of the gross farm income.

This Department cannot justify the greatly increased expenditures necessary for continued poultry research at the Southwest Poultry Experiment Station. This Department has no need for the property for any other purposes, and it is to be reported to the General Services Administration as excess real property. The General Services Administration must make a final determination as to whether

there is any further need for the property by other Federal agencies in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

In view of this requirement, this Department recommends that H.R. 8077 be amended by inserting after the word "that" on page 1, line 3, the words "; should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended."

This Department also recommends the deletion of section 3 of the bill. This section has the effect of fixing the consideration for the land to be conveyed under the bill at \$2.50 per acre, representing the charge made for transfers of public lands by the Secretary of the Interior pursuant to the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741; 43 U.S.C. 869-1). Since that Act is applicable only to public lands and since the lands covered by H.R. 8077 are acquired lands, there appears to be no justification for use of the formula fixed by the Secretary of the Interior under that Act. However, in recognition of the earlier donation to the Federal Government of a substantial part of the land in question, and in view of its projected use by a public body solely for park and recreational purposes, this Department would see no objection to transfer of the land to the city of Glendale, Arizona, without consideration, if the property proves to be surplus to the needs of other agencies of the Federal Government. If the Committee approves this approach, section 1 of the bill should be amended by inserting the words "without monetary consideration" after the word "convey" on line 4, page 1 of the bill.

Subject to the foregoing, this Department would have no objection to the enactment of H.R. 8077.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

ORVILLE L. FREEMAN.

Mr. ABERNETHY (presiding). You may proceed.

STATEMENT OF HON. SAM STEIGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. STEIGER. Mr. Chairman and members of the subcommittee, I have a statement from Congressman Rhodes that he would like to have inserted into the record, and with your permission I would introduce it at this time.

Mr. ABERNETHY. Without objection it will be included in the record immediately following your testimony.

Mr. STEIGER. Mr. Chairman and colleagues, H.R. 8077 is a bill which would authorize the Secretary of Agriculture to convey to the city of Glendale, Ariz., for public park purposes, approximately 20 acres of land which at present constitute the grounds of the Southwest Poultry Experiment Station.

This station is scheduled to be closed in the near future by the Department of Agriculture for the reason that poultry research is to be discontinued in this area for primarily economical reasons.

The land is located within the city limits of Glendale. In 1921, prior to the establishment of the Southwest Poultry Station, the local citizens raised the money to pay for the station property. After it was purchased by these private subscriptions, it was donated to the Secretary of Agriculture for poultry research.

Later, in 1933, the Government acquired by eminent domain proceedings an addition to the grounds.

I think this is probably the most germane part of the statement in that the land was originally a portion, donated to the Federal Government for the purposes of the poultry station.

Mr. ABERNETHY. Purchased by the city?

Mr. STEIGER. It was purchased by land subscription and given by local citizens to the Government for the purpose of the experiment station. And if I may digress further from my statement, this accounts for approximately one-half of the 20 acres that the station now covers. And in subsequent acquisition proceedings the Federal Government acquired the other 10 acres, the other one-half of the property.

The land in question—and if I may digress further, I would like to have you take a minute to look at this map.

This map is an accurate representation of the city of Glendale, showing the location of the acreage in question.

You should notice that it is within the city limits of the city of Glendale. This dotted line indicates the city limits of Glendale.

This map does not show two new subdivisions. The population is growing in this area and in here. So that this is a very good location for a park.

As a matter of further interest, I would say this, that this section of the town is the wrong side of the track. These people are probably in greater need of recreational areas because they are not in close proximity to be able to take advantage of more distant areas for recreation.

Mr. ABERNETHY. Do you desire this map to be left as a part of the record.

Mr. STEIGER. If the chairman would, I would recommend that it be placed in the files of the committee.

Mr. ABERNETHY. I doubt the necessity of having it printed as a part of the record. That was the thought that I had. If the members so agree, we will receive this for the committee files.

(The document will be filed in the files of the committee.)

Mr. STEIGER. I have a further document here, Mr. Chairman, that I would ask be made a part of the record. This is a resolution by the City Council of Glendale urging the transfer of this acreage to the city. This resolution is dated February 7, 1967, and is signed by the mayor and the city council.

Mr. ABERNETHY. It will be included in the record at this point. (The resolution, No. 886, follows:)

RESOLUTION NO. 886 NEW SERIES OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REQUESTING THAT CERTAIN REAL PROPERTY BE DEDICATED TO THE CITY OF GLENDALE FOR PARK PURPOSES; DECLARING THAT SAID REAL PROPERTY IS NOT NECESSARY FOR THE PURPOSES OF THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND DECLARING AN EMERGENCY

Whereas, the U.S. Department of Agriculture, more commonly referred to as Southwest Poultry Research Station, is the owner of certain real property in the City of Glendale; and

Whereas, the City of Glendale is desirous of determining that the hereinafter described real property is no longer required for the proper carrying out of the purposes of the U.S. Department of Agriculture; and

Whereas, the City of Glendale is desirous of obtaining the hereinafter described real property for park purposes; and

Whereas, pursuant to the recommendations of the National Recreation Association, the City of Glendale is lacking in approximately two hundred fifty-seven (257) acres for its parks system; and

Whereas, with the addition and development of the hereinafter described real property of approximately twenty (20) acres, the City can reduce its deficiency in park acreage; and

Whereas, the hereinafter described property is of particular value because of its geographic location within the City, and the amount of acreage involved; and

Whereas, suitable park areas properly located, developed, equipped and maintained are essential to a successful recreation program; and

Whereas, the hereinafter described real property can best be utilized for park purposes at this time; and

Whereas, the City of Glendale desires that the hereinafter described property be dedicated to the City of Glendale for park purposes;

Now, therefore, be it resolved by the Council of the City of Glendale, as follows:

SECTION 1. The Council of the City of Glendale desires the following described real property be dedicated by the U.S. Department of Agriculture to the City of Glendale:

Lot 6, Block 3, Woodford's Addition to Glendale, SW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 8, T2N, R2E, as recorded in Book 169 of Deeds, Page 98 and Book 146 of Maps, Map 11, Maricopa County Recorder's Office, Maricopa County, Arizona, and

The NW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 17, T2N, R2E, as recorded in Book 275 of Deeds, Page 531, and Book 144, Map 31, Maricopa County Recorder's Office, Maricopa County, Arizona.

SECTION 2. Whereas the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety of the City of Glendale, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage, adoption and approval by the Mayor and Council of the City of Glendale, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

Passed, adopted and approved by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 7th day of February, 1967.

MAX KLASS, *Mayor*.

Attest:

BERNICE L. GROGG,
City Clerk.

Approved as to form:

IRVING H. BAHDE, Jr.,
City Attorney.

Reviewed by:

S. F. VAN DE PUTTE,
City Manager.

STATE OF ARIZONA,
County of Maricopa,
City of Glendale, ss:

I, the undersigned, Bernice L. Grogg, being the duly appointed, qualified and acting City Clerk of the City of Glendale, Maricopa County, Arizona, certify that the foregoing Resolution No. 886 New Series is a true, correct and accurate copy of Resolution No. 886 New Series, passed and adopted at a special meeting of the Council of the City of Glendale, held on the 7th day of February, 1967, at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this 8th day of February, 1967.

BERNICE L. GROGG,
City Clerk.

Mr. ABERNETHY. Mr. Kleppe.

Mr. KLEPPE. May I ask you right here in this connection as to this resolution, this is from the mayor and the city council?

Mr. STEIGER. Right.

Mr. KLEPPE. Does not the city of Glendale have a park board elected by the people, or how are they organized?

Mr. STEIGER. There is a park department which operates directly under the mayor and the city council. It is a function and an arm of the city council.

Mr. KLEPPE. Are they appointed, or elected?

Mr. STEIGER. They are appointed by the city council. As a matter of fact, the chairman of the park board is a member of the city council.

Mr. KLEPPE. The reason that I asked the question is that in my city they are elected by the people and they do not always agree with the city council, so that a resolution from the council and the

mayor is not indicative of what the park board will do, but in Glendale that is not the problem?

Mr. STEIGER. That is a good point. That is not the problem. In this case it would not be germane.

Mr. KLEPPE. Thank you.

Mr. STEIGER. Since the Department of Agriculture no longer desires to use this property for its intended purpose, or any purpose, I would strongly urge that the property be returned to the city for public park purposes, particularly since approximately one-half of it was donated by the citizens of the city.

Mr. Chairman, the departmental report indicates that it has no plans to utilize the property. I have talked to the mayor and he and the city council are anxious to develop the land for park purposes. With the chairman's permission, I would like to have a copy of a resolution adopted by the city of Glendale, which supports the return of this property, entered into this record.

Mr. Chairman, as you will see by the resolution, the city badly needs park acreage. The size of the parcel is large enough for park purposes and its geographical location makes it particularly valuable for these purposes.

It seems patently proper that the Department of Agriculture, which is no longer able to use the land for the purpose originally donated, should return it to the citizens of the city.

From reading the Department's report, the only suggestion of the Department is that in lieu of this land being transferred under the act which permits the transfer to municipalities for recreational purposes, at the bottom of page 2 and at the top of page 3 of this bill, there is language stating, "an Act to authorize acquisition or use of public lands by States, counties or municipalities for recreational purposes." We have suggested that this be the device to transfer this ground. The Department, in order to conform with their previous administrative procedures, has recommended that this be first declared surplus and placed in the hands of the General Services Administration and for them to distribute as they see fit.

Now, we have no specific objection to this, except, of course, in the interests of time we would simply like to see this done as quickly as possible.

Mr. ABERNETHY. If it is declared surplus to Government needs and is disposed of through the General Services Administration, my understanding is that the disposition of the property so declared surplus is first offered to public bodies or municipalities.

Mr. STEIGER. That is my understanding, so that, in effect, I do not envision any jeopardy, so far as the city of Glendale, in eventually, acquiring the ownership if we use the procedure as recommended by the Department. I would simply point out that it is one procedure to go through and if the prime interest of the municipality is to be served, why, this would, perhaps, better serve it best. But we have no serious objection to the Department's recommendation.

There is one other fact that I think is significant. The National Recreational Association has surveyed the city of Glendale within the last 4 months and they have declared the city of Glendale deficient in recreational areas by 257 acres. How they arrived at this, or what their formula is, I do not know, but it is clear that the city of Glendale is, indeed, deficient in recreational acreage and this would, in part, aid

that deficiency. And, again, I think that the significant thing is that one-half of this land was in 1921 donated by local citizens to the Federal Government and now the citizens are asking that it be put back into public use.

I have no further comments.

Mr. ABERNETHY. Are there any questions? If not, thank you very much, Mr. Steiger.

Mr. STEIGER. Thank you, Mr. Chairman. I appreciate your courtesy.

(The statement of the Honorable John J. Rhodes follows:)

STATEMENT OF HON. JOHN J. RHODES, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF ARIZONA

Mr. Chairman, H. R. 8656 would transfer back to the city of Glendale, Arizona, land deeded to the Secretary of Agriculture in 1921 and 1933 for the purpose of poultry research. I have sponsored this legislation in the belief that this land, should it be determined to be of no further use to the Department of Agriculture, could be put to most desirable recreational use by the people of Glendale. Prior to the most recent apportionment of Arizona's Congressional Districts, the city of Glendale was a part of my Congressional District. I am, therefore, well acquainted with matters of interest to the City and I am pleased that its inhabitants may derive benefit from land no longer required for Department of Agriculture research.

A large portion of the approximately twenty acres of land presently constituting the Southwest Poultry Experimental Station was donated by private citizens of Glendale to the Department of Agriculture in 1921. With this in mind, it is only fair that the property be returned to the city for public park purposes, now that it will no longer be used for the purposes for which it was originally donated.

The population of the City of Glendale is increasing rapidly, and the area is becoming nonagricultural. Population growth and urbanization have seriously increased the need for adequate park and recreational facilities. In a Resolution of the Glendale City Council, on February 7, 1967, it was reported that the city lacks approximately two hundred fifty-seven (257) acres for its parks system. The additional twenty acres which this legislation would provide would lend itself to reducing the grave deficiency of recreational land.

The Secretary of Agriculture reports that the original objectives of the Poultry Station have been accomplished. He further states that the laboratory facilities are outmoded and unsuitable for further laboratory work. The buildings which occupy the land are of very low cost construction and many require extensive repairs to conform to safety codes. The Department, according to the Secretary, cannot justify further operation of the station, and will report the land it occupies to the General Services Administration as excess real property.

Apparently, this land located in the city of Glendale is surplus to the needs of the Federal Government. Recognizing the earlier donation of a substantial portion of this land by the people of Glendale, and given the beneficial purpose for which the land is intended by the City, I urge favorable consideration of H. R. 8656.

Mr. ABERNETHY. Our next witness is Mr. Francis R. Mangham, Deputy Administrator, Administrative Management, Agricultural Research Service, U.S. Department of Agriculture. We will be glad to hear from you now.

STATEMENT OF FRANCIS R. MANGHAM, DEPUTY ADMINISTRATOR,
ADMINISTRATIVE MANAGEMENT, AGRICULTURAL RESEARCH
SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. MANGHAM. Mr. Chairman and members of the subcommittee; I appreciate the opportunity to appear before your subcommittee to present the Department's views on H. R. 8077 and H. R. 8656. These bills would authorize and direct the Secretary of Agriculture to convey

to the city of Glendale, Ariz., approximately 20 acres of land constituting the Southwest Poultry Experiment Station.

The property involved consists of two 10-acre tracts. The 10-acre tract known as the England tract was acquired in 1921 without cost to the Government. Records of the Department indicate that the local community people raised a total of \$2,500 and paid the owner directly. The 10-acre tract known as the Knight tract was acquired in 1933 by a suit of "friendly condemnation." The owner received \$4,500 from the Government in payment for this tract.

After an intensive review and study, poultry research at Glendale has been discontinued. Cooperating officials of the Arizona Agricultural Experiment Station at Tucson have been informed of our decision to close this research station.

In general, the original objectives of the research at Glendale have been accomplished. A large amount of information has been released concerning management and nutrition of poultry under high temperature, semiarid conditions for use by poultry and egg producers.

In recent times, the gross farm income from chickens and broilers in the five-State area served by the Glendale Laboratory has decreased from 5 percent to 4 percent of the total for the Nation. The income from poultry and egg production in this area amounts to less than 7 percent realized gross farm income. In Maryland and Delaware, for example, poultry and egg production represents 34 percent of the gross farm income.

The Department does not need this property for any other purpose, and it is to be reported to GSA as excess.

Under the Federal Property and Administrative Services Act of 1949 as amended, the property is not declared surplus until GSA makes a final determination that no other Federal agency has a need for the property. Because of this, the Department recommends the following amendment:

On page 1, line 3, of the bills, after the word "that" insert: "should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended."

Mr. ABERNETHY. Does the amendment that you proposed provide that in the event that the property does become surplus, which you anticipate, that then this shall be enacted—is this what you are recommending?

Mr. MANGHAM. Yes, sir; that is what we are recommending.

Mr. ABERNETHY. And you are recommending that we follow that procedure, rather than through GSA surplus property disposition?

Mr. KLEPPE. As I understand, that is the procedure.

Mr. MANGHAM. This is the procedure that we are recommending, that we go through the administrative surplus property procedure rather than as the bill has recommended the public lands procedure, and on which I have a statement.

Mr. ABERNETHY. Why do you recommend consideration of the bill at all if you are recommending disposition through the General Services Administration?

Mr. MANGHAM. We do not think, Mr. Chairman, that we have authority under the bill as written. This is acquired land by definition, because it was purchased—part of it—by the Government and part of it was donated to the Government. And public land is, generally, identified as public domain land and lands that are so specifically identified by the Congress.

Mr. ABERNETHY. You may proceed.

Mr. MANGHAM. If the property proves to be surplus to the Federal Government, consideration could be given to the conveyance of the land without cost to the city of Glendale, Ariz. This would recognize the earlier donation by the community of a substantial part of the land and would recognize its projected use by a public body solely for park and recreational purposes. The bills provide that if the land is ever used for any other purpose, title would revert to the Federal Government. If the committee approves this approach, the following amendment is recommended:

On page 1, line 4, of the bills after the word "convey" insert: "without monetary consideration."

The property covered under H.R. 8077 and H.R. 8656 is considered to be acquired land. The formula prescribed under section 3 of each bill is applicable only to public lands. The deletion of section 3 is recommended as the provisions do not appear to be applicable to the Glendale property.

Subject to the foregoing, the Department would have no objection to the enactment of either H.R. 8077 or H.R. 8656.

Mr. Chairman, I shall be happy to respond to any questions.

Mr. ABERNETHY. This operation is being closed up?

Mr. MANGHAM. Yes.

Mr. ABERNETHY. Or has been?

Mr. MANGHAM. Yes.

Mr. ABERNETHY. And the Government, so far as you know, and particularly the Department of Agriculture, has no further need for it?

Mr. MANGHAM. The Department of Agriculture does not have any further need for it. And so far as I know, there is not any other Federal agency that has need for it.

Mr. ABERNETHY. And no other Federal agency?

Mr. MANGHAM. Insofar as I know.

Mr. ABERNETHY. You know, I do not look with much favor on the Government retaining a reservation clause. I think that when they get rid of it, they ought to get rid of it for good, because a few years from now the new owner may find a better purpose for the land. In order to put it to that use, they would have to come back here to the Congress and get another bill passed. I just feel that if we are going to dispose of the land we ought to dispose of it for good, forget it and let those people out there have it. Do you not feel that way?

Mr. MANGHAM. Mr. Chairman, that was included in the bill. We have no basis to object to it.

Mr. ABERNETHY. I see. I understand.

Mr. MANGHAM. So we did not comment on that feature of the bill.

Mr. ABERNETHY. All right. Do you gentlemen have any questions?

Mr. Goodling.

Mr. GOODLING. I am one of those rare individuals who hesitates to give anything away. Why do you say "to convey the land without cost"?

Mr. MANGHAM. Originally, Mr. Goodling, the people of this community raised \$2,500 and bought 10 acres of the land and donated it to the Government for the purpose of research.

Mr. ABERNETHY. Will you yield?

Mr. GOODLING. Yes.

Mr. ABERNETHY. This is the purpose for which it has been used all these years?

Mr. MANGHAM. Yes.

Mr. ABERNETHY. And it has been expanded by acquiring another 10 acres?

Mr. MANGHAM. It was expanded by acquiring another 10 acres.

Mr. ABERNETHY. Thank you for yielding.

Mr. MANGHAM. The bill provides that it would be handled under the act applicable to the Secretary of the Interior which would be public lands for recreational purposes and, in this instance, these people who made possible this research station that we have now used for, approximately, 45 years, would in turn have it given back for their use.

Mr. GOODLING. It would be worth four or five times what it cost originally today; would it not?

Mr. MANGHAM. We have not had the property appraised. At the time of the purchase, we note from the record it was worth \$250 an acre. The price has been expressed by a number of people in a range from \$2,000 to \$10,000 an acre today. I am not familiar with the exact appraisal. We have not had an official appraisal made.

Mr. GOODLING. Thank you. That is all.

Mr. ABERNETHY. Do you have any questions, Mr. Mayne?

Mr. MAYNE. Have you sent your proposed amendments to Congressman Steiger?

Mr. MANGHAM. No, sir; we have not.

Mr. MAYNE. Have you discussed them with him?

Mr. MANGHAM. No.

Mr. MAYNE. So far as you know, he is not aware what the Department's proposed amendments are?

Mr. MANGHAM. The report that the Department made on the bill included these recommendations. My testimony is in keeping with the report that the Department made on the bill.

Mr. MAYNE. Do you know whether he has communicated with the Department about those proposed changes?

Mr. MANGHAM. I do not know if he has communicated to the Department about those changes. My testimony here this morning was mentioned to him and he did not have any reservations about this approach.

Mr. MAYNE. Did he say anything about the approach at all?

Mr. MANGHAM. No, sir.

Mr. MAYNE. Thank you. That is all, Mr. Chairman.

Mr. ABERNETHY. That is all; thank you very much.

Mr. MANGHAM. Thank you.

Mr. ABERNETHY. Does anyone else want to make a statement on this subject? If not, we will go into executive session then.

(Whereupon, at 10:20 a.m., the subcommittee proceeded into an executive session.)

WORLD FARM CENTER

TUESDAY, JULY 18, 1967

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., in room 1301, Longworth House Office Building, Washington, D.C., the Honorable W. R. Poage (chairman) presiding.

Present: Representatives Poage, Gathings, Abbitt, Jones of Missouri, Purcell, O'Neal, Foley, de la Garza, Nichols, Montgomery, Belcher, Teague of California, Mrs. May, Wampler, Goodling, Miller, Burke, Zwach, Kleppe, and Price.

Also present: Christine S. Gallagher, clerk; Hyde H. Murray, assistant counsel; Francis LeMay, consultant; and Fowler C. West, assistant staff consultant.

The CHAIRMAN. The committee will please come to order.

The committee today is considering House Concurrent Resolution 90 by Mr. Hanna.

Mr. TEAGUE of California. Mr. Chairman, may we go off the record?

(Discussion off the record.)

The CHAIRMAN. Instead, I understand that we are considering House Concurrent Resolution 413 by Mr. Pettis. It is my understanding that there is an agreement between Mr. Pettis and Mr. Hanna that they would ask for consideration of the resolution by Mr. Pettis inasmuch as the proposed Center would be in Mr. Pettis' district. Mr. Pettis is with us. We will be glad to hear from you.

(H. Con. Res. 90 and H. Con. Res. 413 are similar bills, the text of which follows:)

[H. Con. Res. 413, 90th Cong., first sess.]

CONCURRENT RESOLUTION

Whereas the business of agriculture is a basic industry vital to the economy and sustenance of the United States of America and the entire world: and

Whereas the development of techniques, research, and procedures for the improvement of the agricultural industry is necessary to the well-being of the farmers and consumers of farm products; and

Whereas World Farm Center advocates from all segments of the agribusiness industry are cooperating in the founding of a World Farm Center at Ontario, San Bernardino County, California, as a service organization which is designed to—

(1) serve as an agricultural "clearinghouse" and marketing information center;

(2) encourage, assist, and cooperate in agricultural research programs with universities, governmental agricultural agencies, and private agencies;

(3) develop the site of World Farm Center as a manufacturing and/or demonstration and display center for all types of agricultural machinery and equipment;

- (4) establish prototype agricultural enterprises for display and production;
- (5) establish a convention center for agricultural organization meetings;
- (6) engage in other service and educational functions which will advance the agricultural industry;
- (7) establish a center for offices or companies, associations, governmental and others; and
- (8) improve public relations between agriculture and the general public:

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the concept of World Farm Center be endorsed as a means of furthering the advance of national and international agriculture.

Mr. PRICE. Mr. Chairman, I would like to ask unanimous consent that I be reported as for the bill we voted on yesterday.

The CHAIRMAN. The record may show that Mr. Price approves the bill that was passed yesterday.

Mrs. GALLAGHER (clerk). Yes.

The CHAIRMAN. You may proceed, Mr. Pettis.

STATEMENT OF HON. JERRY L. PETTIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. PETTIS. Mr. Chairman, I am grateful to you and members of this committee for the opportunity of supporting my bill calling for approval of the World Farm Center. Much careful work promoting this project has been done by my distinguished colleague, Mr. Richard T. Hanna from California who submitted House Concurrent Resolution 90 on January 26, 1967.

The Center is designed to provide technical and commercial intelligence pertinent to the financing and sale of American agricultural products needed to meet projected world food shortages.

World Farm Center activities include all aspects of agriculture involving growing, processing, marketing and the manufacture of capital equipment related to all aspects of agribusiness.

Functions of the Center will include—

- (1) Gathering, evaluating, and processing of computer knowledge required for development of world food producing capability.
- (2) Centering of agribusiness and banking services to deal with marketing and financing problems of producers.
- (3) Displaying and demonstrating production machines, tools, and technology vital to increased agricultural productivity.

Architects of this comprehensive program believe that these objectives may best be accomplished in an agricultural industrial park and information center. These men, all recognized as experienced and successful producers, manufacturers, scientists, economists, and bankers have been working for eight years on long-range planning. They believe that future food needs must be met by competitive, free-enterprise efforts. Because of this, they have worked on a strictly voluntary basis.

Their program is approved by a broad spectrum of American industry. Among its prime supporters are Battelle Memorial Institute, Frank R. Wilcox, president of the National Council on Farm Cooperatives, and E. Stewart Chaffee, director of Western Bancorporation. Huston H. Bouslog, agricultural representative of United California Bank, has coordinated planning of the Center and Howard Amundsen, who is present this morning, economist and engineer with 23 years in

agricultural development in Pakistan, Nationalist China and other Asian countries is serving as the Center's executive secretary.

Site for the World Farm Center was strategically located southeast of Ontario, which is about 40 miles east of Los Angeles, after a national survey. Factors in selecting this location are:

- (1) Proximity to second largest marketing area in America.
- (2) Relationship to widest variety of agricultural products from California and Southwestern States.
- (3) Air-rail-seaport terminus to Pacific basin countries which represent more than half of world's population.
- (4) Suitable year-round climate.
- (5) Best focal point for marketing and distributing equipment produced by eastern and midwestern manufacturers seeking exploitation of the Pacific market.
- (6) Closest and most logical center for U.S. banking services handling needed investments in Pacific nations.

Tenant commitments have been received from a significant cross section of American agricultural business leaders. It is the intent of management that World Farm Center ownership will be by an organization consisting of pacesetters in agricultural business. These will include agricultural organizations, manufacturers of equipment, food processing manufacturers, Edge Act chartered banks, Export-Import Bank, and the World Bank.

While the project has broad and sound national support, it also has the approval of the California State Legislature and the support of neighboring cities as well as the endorsement of the San Bernardino County Farm Bureau, which happens to coincide with my congressional district. I am submitting for the record, letters, and telegrams from these sources.

No one, Mr. Chairman, now promoting this Center is seeking remuneration or profit from it. It is a voluntary proposal by thoughtful, responsible, and competent men who are dedicated to both the free enterprise system and the solution of mankind's most pressing problem. They seek only the understanding and approval of the Congress of the United States. I trust, Mr. Chairman, that favorable consideration will be given this project. Mr. Howard Amundsen, Secretary of the World Food Center, is here with me and is available to assist me in answering any questions you may have.

The CHAIRMAN. Thank you very much, Mr. Pettis. The documents to which you have referred will be made a part of the record at this point.

(The telegrams, resolution, a letter from San Bernardino County Farm Bureau, statement by Howard Amundsen, and a statement by Congressman Hanna follow:)

RIALTO, CALIF., July 17, 1967.

Congressman JERRY PETTIS,
House Office Building, Washington, D.C.:

World Farm Center in San Bernardino County would be useful to farmers and an educational asset to the public. Farm Bureau strongly supports.

SAM EBERLY,
Secretary, San Bernardino County Farm Bureau.

ONTARIO, CALIF., July 17, 1967.

JERRY L. PETTIS,
House Office Building, Washington, D.C.:

Urge congressional approval of resolution recognizing proposed World Farm Center. This area offers cooperation in establishing this important venture in San Bernardino County.

HOWARD J. SNIDER,
Mayor, City of Ontario.

CALIFORNIA ASSEMBLY CONCURRENT RESOLUTION NO. 6—RELATING TO THE
WORLD FARM CENTER

Whereas, Agriculture is a basic industry vital to the economy and sustenance of California, the United States, and the entire world; and

Whereas, The technical developments relating to agriculture have been tremendous and have created a serious need for better communication between members of the industry and the general public; and

Whereas, The well-being and future improvement of farmers and the consumers of farm products requires the development of techniques, research and procedures for the improvement of the agricultural industry; and

Whereas, The establishment of a World Farm Center as proposed at Ontario, San Bernardino County, would provide a service organization designed to serve as an agricultural clearinghouse and marketing information center to encourage, assist and cooperate in agricultural research programs with universities, governmental agricultural agencies, and private agencies; and

Whereas, The World Farm Center, *at no public expense*, would develop its site as a manufacturing, demonstration, and display center for all types of agricultural machinery and equipment, would establish prototype agricultural enterprises for display and production, and would establish a convention center for agricultural organization meetings; and

Whereas, The World Farm Center would engage in other service and educational functions to advance the agricultural industry, would establish a center for offices of companies, associations, governmental and others, and would improve understanding between agriculture and the general public; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature heartily commends those responsible for the World Farm Center and acknowledges the outstanding contribution the Center will make to agriculture.

SAN BERNARDINO COUNTY FARM BUREAU, INC.,
Rialto, Calif., May 26, 1967.

Congressman JERRY L. PETTIS,
New House Office Building,
Washington, D.C.

DEAR JERRY: We are interested in encouraging the development of the proposed World Farm Center in the east Ontario area. I am sure you are informed on this proposal.

Could you do anything to get House Concurrent Resolution #90 by Mr. Hanna approved by the House Agriculture Committee?

Thank you very much.

Sincerely,

S. R. EBERLY, *County Secretary.*

STATEMENT OF HOWARD AMUNDSEN, EXECUTIVE SECRETARY, WORLD FARM
CENTER

Mr. Chairman, I want to thank the Committee, Congressman Hanna and Congressman Pettis for the assistance we have received to date. I particularly appreciate the opportunity to make the following brief remarks on H. Con. Res. 90.

THE COMPOSITE ACTIVITIES WITHIN THE WORLD FARM CENTER

The World Farm Center will be a display and demonstration center for tools, machines and products used in the production, processing and marketing of

agricultural products. Most tools and machines employed in providing food and fiber for national and international usage can be shown, demonstrated and compared at this one location. In addition, the World Farm Center will operate an agricultural Industrial Park. It will also provide supporting statistical services for its processing and marketing tenants. Information can be obtained, demonstrations and comparisons can be made that permit decisions to invest in new equipment, employ new methods, seek new markets and raise or process new food-stuffs or fibers. These decisions may be made on concrete evidence that is proven and has been collected or observed at the World Farm Center.

The requirement is vast for the above stated services in a highly complex and constantly changing technology. This complexity is enhanced by the fact that a major part of the world is slowly starving to death in spite of current occidental technology and productivity.

All aspects and facets of the American food and fiber industry has a self-serving interest in seeking solutions for improving the international food and fiber supply. The all-embracing term for the above industry is "Agri-business." A partial composition of Agri-business is listed below.

THE COMPOSITION OF MODERN AGRICULTURE

"Agri-business." Farming Categories:

General	Sheep	Vegetables
Grain	Poultry	Tobacco
Dairy	Cotton	Seeds
Swine	Forage	Nursery
Beef	Fruits	Specialty

The above categories of farming are assisted in production, processing and marketing of food and fiber crops by participating and subsidiary industries with related activities shown below:

Industry

Machinery and equipment
Food processing
Grain and seed processing
Meat and poultry packing
Fertilizer and lime
Pesticides and herbicides
Feed manufacturing
Dairy processing
Fats and oils
Textiles and fibers
Building and utilities
Forest products

Business

Banking and credit
Insurance
Farm management
Cooperative management
Land appraisal
Grading, labeling and warehousing
Transportation
Farm utilities
Custom services
Private businesses

Research

Services

Inspection and regulation
Food and feed
Seed and fertilizer
Agricultural chemicals
Plant and animal quarantine
Quality control and grading
Agricultural technicians
Agricultural statisticians
Veterinarians
Foreign agricultural service
Foresters, wood technologists

Agricultural engineering
Equipment and utilities
Processing
New uses and methods
New products
By-products
Conservation
Reclamation
Rural sociology
Marketing

Communications

Newspapers
Market reporting
Magazines
Photography
Radio
Television
Advertising

Conservation

Soil
Water
Range
Forest
Fish
Wildlife
Parks

Education

Vocational
Agriculture
Government agencies
Farm organizations
International
Technical aid

FORMATION OF THE WORLD FARM CENTER

Approximately 8 years ago, a group of Bankers, Agriculturists, Lawyers, Accountants, Architects and Engineers combined their efforts to initiate a feasibility study on the formation of a World Farm Center.

Among the group that contributed to the investigation and the formative work were:

- A. E. Stewart Chaffee—rancher, Director of Western Bancorporation.
- Risley, Gould and Van Heuklyn—architects and engineers.
- Urban Research and Development Company—Market Analysis and Economic Research.
- Huston H. Bouslog—Agricultural Representative of United California Bank.
- Montfort, Ellington—Public Relations.

Others of equal capability have contributed to the program in the interim.

AN EVALUATION OF THE WORLD FARM CENTER STATUS

An analysis of the World Farm Center project has shown it to be consistent and methodical in its formation during the past 8 years. International economic researchers have surveyed all aspects of feasibility for establishing a World Farm Center. These surveys have been conducted on a national and international basis.

The results to date have been: (a) a feasibility study on a national basis for the need and location of such a project; (b) a testing of the market for space requirements of potential agricultural business tenants for display, demonstration, distribution, sales, production and servicing of projects at the proposed World Farm Center; (c) an analysis of the requirement and technique of providing management services to Agri-business; (d) a cost study and analysis on architectural layout of building erection plan; (e) plan of acquisition of land for project site; (f) a tentative commitment from municipalities for the erection of flood control protection of project site; (g) a tentative commitment for a state federal secondary road through a project site; (h) tentative commitments on utilities, sanitation, transportation, water rights, taxes, etc. on project site; (i) analysis and commitment to establish an international agricultural information documentation center; (j) a legislative commendation from the State of California on the World Farm Center project; (k) a pending legislative commendation from the Congress of the United States House of Representatives, Bill H. Con. Res. 90; (l) formation and acceptance of an agricultural water conservation and reclamation program project at the site by members of the Water Utility Industry; (m) reached an agreement with one of the largest insurance companies in the world and also with the largest mortgage banking firm in America to finance the land acquisition and construction costs. Note: both of these agreements will be put into effect simultaneously with consummating lease arrangements as described in item (b).

The work of the World Farm Center organization has to date been done with amazing foresight and steadfastness. All of this astounding performance has been accomplished without incurring an organizational indebtedness.

OWNERSHIP OF THE WORLD FARM CENTER AND ITS ORGANIZING AND OPERATING PREMISES

All members without exception, who are accepted into the World Farm Center, join the endeavor with a clear understanding that recompense is a pure speculation. No stock or other evidence of ownership of any kind is given to any member. The membership known as "Advocates" are completely aware that the World Farm Center organization has no obligation to them in the event of failure. In the event of success, the advocates will be compensated for their individual contribution in cash.

The recompense is subject to several conditions: (1) It will be subordinated to all other obligations incurred in the financing of the World Farm Center. (2) The amount of recompense will be openly arrived at and fully disclosed and disbursed by a committee comprised of members of World Farm Center, Inc.

The determination of the relative and comparative amounts of recompense is not subject to challenge. (3) The compensatory money has the option of convertibility to interest bearing management stock that is subordinated to equity stock or the option of convertibility to equity management stock that is subordinated to obligation bonds issued for any required financing. The management may also acquire options to purchase any equity stock that is issued for construc-

tion financing. The amount of option referred to will be determined by banking requirements, the best means of acquiring broad participation through ownership by national and international agri-business and the possible use of options to secure perpetuity in good management. (4) The management stock will be non-conveyable and can only be sold back to the management corporation. Inasmuch as this is management stock, it must be issued with the intent of broadening and strengthening the management of the World Farm Center. It cannot be resold to the members of the existing management.

ORGANIZATIONS INVOLVED IN WORLD FARM CENTER CONCEPT

I. World Farm Center Advocates

This is a group of men who devote knowledge, influence and money to the materialization of the World Farm Center concept. Examples of Advocates are: Earl Harris, President of California Cattle Feeders Association; Fran R. Wileox, President of National Council of Farm Cooperatives and Dr. Carl England, Dean of Agriculture, California Polytechnical College.

Please see attached folder, "World Farm Center Advocates."

II. World Farm Center, Inc.

Huston H. Bouslog, President. Mr. Bouslog is Agricultural Representative of United California Bank.

This is the management team. It is intermingled and almost synonymous with the Advocates. Essentially, it comprises the advocates who have accomplished the most for the World Farm Center concept. This group has financed the project to date.

III. World Farm Foundation

George R. Cole, President. Mr. Cole is a citrus and cattle rancher. He is also president of Orange County Farm Bureau and maintains other agricultural activities including 4H and Future Farmers of America.

The foundation is a non-profit organization that will advance the educational objectives of the World Agri-business.

An Agri-business data documentation center will be operated by the foundation. International Agri-business information will be gathered, segregated, compared, analyzed and documented in a manner that is meaningful and applicable to the specific requirements of many governments, commerce, industry and finance. A fee will be charged for the services rendered.

The operation of the data documentation center will be performed by Battelle Memorial Institute—an international non-profit foundation. Battelle Memorial Institute is the foremost information gathering organization in the world.

In reference to the World Farm Foundation, its trustees will comprise those who represent the many facets of Agri-business.

IV. The Investment Entity

This entity will own the land and buildings and lease them for various operation within the World Farm Center. This will be a profit making organization.

At the proper time, this organization will be formed with wide distribution of ownership. The formation will be in a manner previously described.

POLICY OF WORLD FARM CENTER MANAGEMENT

It is the intent of management that the World Farm Center ownership be wholly confined within the broad spectrum of Agri-business and that it become an effective tool and devise in protecting the vested interests of a segment of America that has within the last generation become a small but a continuing important minority.

It is the goal of the current World Farm Center management that ultimately the management will rest in the hands of such as Agri-business organizations, agricultural equipment manufacturers, food processing manufacturers, Edge Act Chartered Banks, Ex-Im Bank, World Bank and others who have great ability to plan, develop and finance National and International Agri-business.

WORLD FARM CENTER CONSTRUCTION FINANCING PLAN

The World Farm Center Organization has completed all studies and prepared all plans necessary to finance and build a World Farm Center.

The World Farm Center will now secure options to purchase land of sufficient size over a period of time that is sufficient to contain all of the activities and structures required for the completion of its program.

Arrangements have been made with such financial institutions as the Colwell Company and the Equitable Life Assurance Company to finance the construction program. The financing is based upon the traditional practice in financing commercial and industrial development in Southern California. Namely, construction financing is available that is commensurate with the financial strength of the tenant and the duration of the lease.

FOREIGN TRADE ZONE

Beyond the above stated probable performance in freight generation, it is most likely that the World Farm Center will be a recipient of a U.S. Government chartered sub-zone in a Foreign Trade Zone. Application for a Foreign Trade Zone in the Los Angeles-Long Beach harbor area is being prepared. World Farm Center personnel have provided the guidance in the preparation of the application. Inasmuch as the approval of the applications is essentially an economic and not a political consideration, the World Farm Center feels secure in the belief that it will get a sub-zone charter in the Ontario area in the event that a charter is granted.

A Foreign Trade Zone provides many profitable and tax free advantages that greatly increase international trade. These privileges are conducive to increased freight revenue and tenancy at the site for those who are involved in trans-shipment, storage, processing, fabrication, exhibiting, financing and sale of goods that are in part or wholly derived from abroad.

It should be noted that the World Farm Center program is not predicated upon the receipt of a Foreign Trade Zone. Our planning program does not include a Foreign Trade Zone. However, the acquisition of a charter is an achievable goal for the World Farm Center. Our initial study indicates that a 300 acre sub-zone is a defensible request.

STATEMENT OF HON. RICHARD T. HANNA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman, I want to thank the Committee for dealing promptly with my resolution on the World Farm Center. As many members of the Committee know, a similar resolution was favorably reported last year, but was objected to on the consent calendar requiring us to once again go through the process during this session.

I can report that the objections raised last year have been answered, and we can be reasonably certain that if the resolution is placed on the consent calendar this year it will pass.

My Chairman, my interest in the World Farm Center has grown from my concern for the deteriorating world food picture. Despite large scale U.S. assistance and the appearance of assistance from other developed nations, the spectre of starvation is an ever growing shadow across the earth.

Certainly the World Farm Center will not solve these many and varied problems. Nor is it designed to function on such a scale. The uniqueness of the Center in the world food picture will be its ability to stimulate agricultural development on a private enterprise basis. Encouraging the development of agricultural potential by offering on a non profit basis, sophisticated information on production, marketing, capitalization, financing, management, labor, and all the other elements necessary for a successful agri-business is a constructive endeavor, and one that needs development.

Granted the Federal government, the various states, and many corporations and financial institutions are now engaged in researching and advising on various elements of agri-business. However, there is no one central place in the United States where a foreign or domestic investor can now go to learn everything from A to Z about a perspective investment.

This vacuum will be filled by the World Farm Center. Located in Ontario, California the project will be adjacent to excellent, harbor, air, and road transportation facilities. It will have the market, attractiveness and expertise of the Los Angeles Basin, and as a result its activities will be greatly facilitated.

Its major function will be to gather and assimilate through the research facilities of Battelle Memorial Institute the vast amount of government and private developed data relating to agri-business. This information will be indexed and computerized and made available at the non-profit Center information service.

The material will be prepared in order that its applied and practical uses to any situation may be readily discernable. For a moment let us consider a hypothetical example. Mr. Radiswah Chawla, a perspective investor in India is interested in establishing a grain farm. He, of course, wants a return on his investment and believes the most up-to-date technical data will help in achieving financial ability. At present Mr. Chawla would have a formidable task. However, with the services of the World Farm Center available his chances for success would be increased.

Under one roof he would find the most up-to-date information on grain techniques, investment in capital equipment, financing, marketing (in his own country), labor problems, processing, transportation, domestic consumption, land use, commercial prospects, and every other bit of information necessary. He would be able to see actual demonstrations tailored to his needs. He could view the operations and compare the various exhibits of equipment.

The expertise, information, demonstrations, and displays of American agriculture would all be available in one place to Mr. Chawla, or anyone else interested in making an investment in any element of agri-business. We could have the businessmen of the United States, through a wholly privately financed and privately operated endeavor speak to their counterparts around the world on the best way to take advantage of present knowledge and resources to produce food and wealth.

A program seeking to do this, Mr. Chairman, is worthy of the recognition of the U.S. Congress. We should and must recognize the challenge of feeding the peoples of the world is not within the exclusive purview of governments. Every element of society must be involved, and what element has been more successful than private American agri-business.

The CHAIRMAN. We are very glad to have had you with us.

Are there any members who want to ask any questions?

Mr. TEAGUE of California. Just one, Mr. Chairman.

There is no cost whatsoever to the Federal Government involved in this project?

Mr. PETTIS. None whatsoever. None is anticipated and none will be asked for.

Mr. TEAGUE of California. Thank you.

The CHAIRMAN. This is the same matter which we had up last year before this committee and I believe we took favorable action on it. It simply did not go over on the floor.

Mr. TEAGUE of California. As I recall it passed unanimously here and nobody, so far as I know, objected to it, but someone objected to it on the Consent Calendar.

The CHAIRMAN. Yes.

Mr. TEAGUE of California. And we did not have enough time left to take it up then. I know of no one, however, who really objected to it.

Mr. PETTIS. Might I add this, Mr. Chairman, at this point in the record. Mr. Pelly was the one who objected and I have spoken to him about this. His objection was that because of a lack of knowledge at that time. He has told me he has no objection to this whatsoever. At the time that this came up on the Consent Calendar the proponents of the resolution were not present on the floor to defend it.

The CHAIRMAN. Mr. de la Garza.

Mr. DE LA GARZA. At what stage overall are you in the process of building the World Farm Center?

Mr. PETTIS. The planning has progressed to the stage that the land acquisitions have been assured and financing for the building.

This request this morning would give us an additional support which the supporters would like very much.

The project has been 8 years in the planning, and I think it can be said with assurance that nobody now stands in its way. There has been no opposition to it from the beginning.

At this point no buildings have been built but land acquisitions have been arranged

Mr. DE LA GARZA. They have secured the land?

Mr. PETTIS. The options on the land, yes.

Mr. DE LA GARZA. Do they have the financing?

Mr. PETTIS. I might add, if the committee is interested, that the executive secretary for the World Farm Center is present this morning and if any committee members would like to interrogate him I am sure that he would be willing to answer more detailed questions about this.

Mr. DE LA GARZA. At what stage are you—are you going to have exhibitors?

Mr. PETTIS. That is correct.

Mr. DE LA GARZA. What stage is that in?

Mr. PETTIS. The numerous exhibitors have stated in writing and orally that they would like to be in this World Farm Center. When the plan has progressed further, then I think there will be a complete contact with all manufacturers in the country, agricultural and the like. That has not been completely done, because it would be almost impossible in these 8 years, because there are thousands of these. Many of these manufacturers may be too small to be interested in such a project, but the Nation's largest manufacturers, for example, you asked about exhibitors, have not only expressed an interest, but they also have made commitments.

Mr. DE LA GARZA. Are they firm commitments?

Mr. PETTIS. This is correct.

Mr. DE LA GARZA. Thank you. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Pettis, just for the record, how will you maintain this institution?

Mr. PETTIS. This will be maintained in the finest traditions of the free enterprise system. The people who will exhibit and the people who will occupy this World Farm Center will carry the cost of the Center.

The CHAIRMAN. Of course, as you suggested, there will be no cost to the U.S. Government, either now or at any time in the future?

Mr. PETTIS. That is correct, nor to the State of California.

The CHAIRMAN. Mr. de la Garza.

Mr. DE LA GARZA. Let us include that in the resolution. [Laughter.]

The CHAIRMAN. The resolution is nothing except to endorse the idea of this World Farm Center. Frankly, I would like to take advantage of this opportunity to point out that it has a great deal of similarity to a program that I have been talking about for a great many years. It has been my thought that we should take the old Bolling Air Field here in Washington and establish a permanent fair there. Every State in the Union having an opportunity to present their exhibits in the building, somewhat on the order of the Russian Agricultural Center that has been quite a success in Moscow for a good many years. In that center or fair each of the Soviet Republics has a permanent building in which they have basically agricultural exhibits although there are a great deal more than merely agricultural exhibits. It has become a general fair of all of their products. It is run the year around. And it seems to me that the same concept would work very well right here in Washington, D.C., where we have the place to do it. We would have a place for each of the States in the

Union to have their own exhibits here in Washington and it would be a base from which you might seek to find customers for agricultural products. I would anticipate making this a larger project than that which is contemplated in California.

I commend those in California for going into this sort of thing. I am glad to see them do it.

Mr. PETTIS. May I respond, sir, to my distinguished colleague, Mr. de la Garza on one aspect of this? He referred to the fair and the exhibitors' side of it. I would like to emphasize another side and that is the heart of the park or the center would provide information for persons either from overseas or persons in this country wishing to engage in agricultural business. This would include data on the monetary situation existing between this country and any other country. It would include laws and regulations or tariff information which would be helpful to private citizens in this country as well as to citizens in other countries who might be wishing to do business with our manufacturers. So it is not just a fair—and this is the reason that I point this out—or an agricultural Disneyland. It will have that aspect to it but it will also have a very important information disseminating center.

Mr. DE LA GARZA. May I ask several more questions?

The CHAIRMAN. Yes.

Mr. DE LA GARZA. Do you have a foundation, a governing body for this?

Mr. PETTIS. Yes. There is a foundation. The moneys are provided by the businessmen, the agricultural people, the banking community to stimulate and to incubate the World Farm Center in the beginning and from that it will broaden its base, but its initiating organization is a foundation, composed of representatives of industries I have mentioned in my statement.

Mr. DE LA GARZA. Only from California or from the United States?

Mr. PETTIS. Many of these organizations are national.

Mr. DE LA GARZA. The governing body I mean—the Board of Directors?

Mr. PETTIS. It is national—it is a national organization.

Mr. DE LA GARZA. That is all. Thank you.

The CHAIRMAN. Are there any further questions?

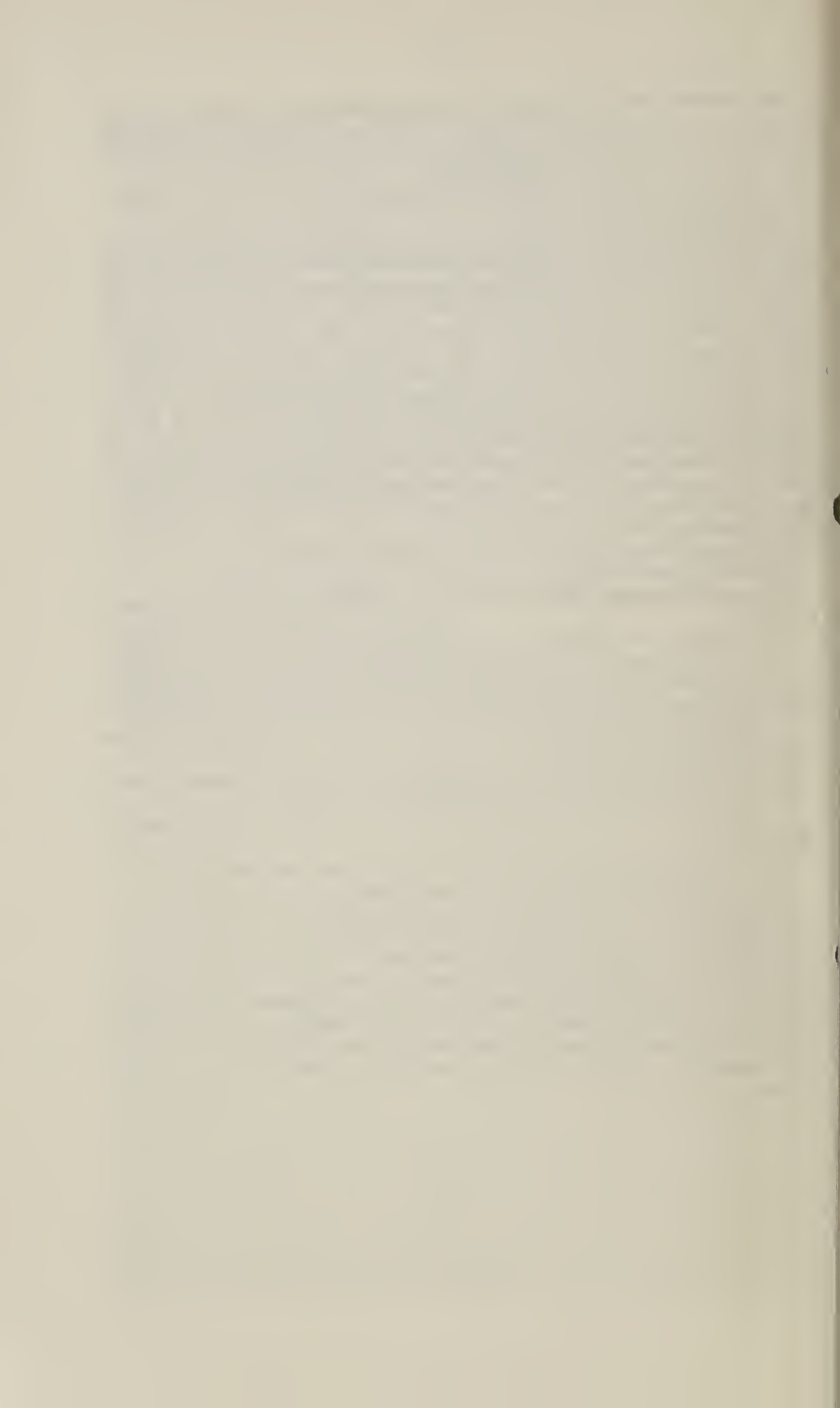
If there are not, we are very much obliged to you, Mr. Pettis.

Mr. PETTIS. Thank you, Mr. Chairman.

The CHAIRMAN. We are very glad to have had you with us. I believe that completes the hearing on this resolution. That is the only matter that is before the committee, I believe.

The committee will now go into executive session.

(Whereupon, at 10:25 a.m. the committee proceeded into executive session.)



CONVEYANCE OF LAND IN SALINE COUNTY, ARK.

THURSDAY, NOVEMBER 2, 1967

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m. in room 1301, Longworth House Office Building, the Honorable W. R. Poage (chairman of the committee) presiding.

Present: Representatives Poage, Gathings, Jones of Missouri, Purcell, Stubblefield, de la Garza, Jones of North Carolina, Belcher, Teague, Dole, Hansen, Wampler, Goodling, Miller, Mathias, Zwach, Kleppe, Myers, Price, and Resident Commissioner Polanco-Abreu.

Also present: Christine S. Gallagher, clerk; Hyde Murray, assistant counsel; and L. T. Easley, staff consultant.

The CHAIRMAN. The committee will please come to order for the consideration of H.R. 10864.

(H.R. 10864 by Mr. Pryor and the departmental report follows:)

[H.R. 10864, 90th Cong., first sess.]

A BILL To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas to the Dierks Forests, Incorporated, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed to Dierks Forests, Incorporated, all of the right, title, and interest of the United States in and to the following described tract of land in the county of Saline, State of Arkansas:

Beginning at the northeast corner of the northeast quarter of the northwest quarter of section 1, township 1 north, range 18 west, fifth principal meridian; thence west along the north boundary line of the east 20 acres of said northeast quarter of the northwest quarter to the northwest corner thereof; thence south 5.85 chains along the west boundary line of said east 20 acres; thence east 9.53 chains to the east boundary line of said east 20 acres; thence north along the east boundary line of said east 20 acres to the place of beginning, containing 5.28 acres, more or less.

SEC. 2. The conveyance authorized by section 1 shall be made upon condition that Dierks Forests, Incorporated, shall execute and record a reconveyance to the United States of the following described land patented to Dierks Forests, Incorporated, on January 7, 1959, under patent numbered 1190250:

The southeast quarter of the southeast quarter of section 22, township 1 south, range 17 west, fifth principal meridian.

SEC. 3. Upon the reconveyance to the United States of the land described in section 2, the tract shall be held and treated as if it had not been patented.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., November 1, 1967.

HON. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 10864, a bill "To provide that the Secretary of Agriculture shall convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated."

Because of the special circumstances in this case, we would have no objection to enactment of this bill.

H. R. 10864 would authorize the Secretary of Agriculture to convey by quitclaim deed, without consideration, to Dierks Forests, Incorporated, 5.28 acres, more or less, of land in Saline County, Arkansas, described in the bill. This conveyance would be made upon condition that Dierks Forests, Incorporated, shall execute and record a reconveyance to the United States of a tract of land patented by the United States to Dierks on January 7, 1959. The bill would provide that the reconveyed tract would be held and treated as if it had not been patented.

The bill would in effect amend the land exchange consummated in 1959 wherein the Dierks Forests, Incorporated, offered certain of their lands in exchange for lands of the United States administered by the Forest Service. The exchange was under authority of the Act of March 20, 1922 (42 Stat. 465, as amended, 16 U.S.C. 485, 486).

In consummating the 1959 exchange, the United States issued patent No. 1190250 to Dierks Forests, Incorporated. Included in the patent was a 40-acre tract described as SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 1 South, Range 17 West, 5th principal meridian. Shortly after issuance of patent it was discovered that this 40-acre tract was being claimed by third parties based on a chain of title beginning with a General Land Office entry dated December 30, 1854. Apparently the original claim developed when a December 30, 1854 entry for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 10 South, Range 16 West, 5th principal meridian, was erroneously posted in the General Land Office tract book as being for SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 1 South, Range 17 West. Following this entry there was a successive chain of deeds for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 1 South, Range 17 West, down to the present claimants, notwithstanding the fact that the patent to the entry which was issued on July 1, 1857, described the land correctly and the entry was correctly posted in the then General Land Office on March 15, 1894. Third party claimants of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 1 South, Range 17 West, have paid taxes over the many years, both before and since this area was included in the Ouachita National Forest by Presidential Proclamation of October 12, 1936. They have partially fenced the area, cut some timber on it, cut hay on it, and otherwise exercised possession over the years. Had these facts been ascertained at the time this forty was included in the exchange, it would have been excluded.

In any event, the facts now disclosed indicate that the third party claimants might have sought a patent under the Color of Title Act (45 Stat. 1069, as amended, 43 U.S.C. 1068-1068b) if it had not been for the exchange patent.

However, since patent No. 1190 250 was issued in accordance with the procedures of the Bureau of Land Management, the Government has no present jurisdiction over the 40 acres in question.

On the other hand, it appears that Dierks Forests, Incorporated, has received little or nothing as to this forty. The deeding of the 5.28 acres, more or less, as described in this bill would in effect equitably amend the original exchange. The 5.28 acres is part of a tract consisting of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 1 North, Range 18 West, and containing 20 acres. Of this total, 14.72 acres were quitclaimed in 1953 to Dierks Forests, Incorporated, by the United States in settlement of a title problem. Conveyance of the remaining 5.28 acre portion under H. R. 10864 would give Dierks Forests, Incorporated, ownership of the entire 20 acres.

To complete the adjustment and do equity to all parties concerned, we believe that Dierks Forests, Incorporated, should reconvey the 40-acre tract to the United States. Once reconveyed, the 40-acre tract would resume the same status as it had prior to the conveyance to Dierks Forests, Incorporated. The third party claimants could then seek patent under the Color of Title Act as if the exchange patent had never been issued. The bill would provide the necessary authority to accomplish this.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

The CHAIRMAN. We have our colleague, Mr. Pryor of Arkansas, with us to discuss this piece of legislation. It possibly does not now raise the questions that it did yesterday, because on yesterday the committee got a report from the Department of Agriculture favoring the bill and it says that the Bureau of the Budget advises there is

no objection to the presentation of this report from the standpoint of the administration's program. Prior to yesterday we did not have that report and felt we were going to have to hold hearings to make some record in support of the bill today.

In view of that report I would feel it is not of the same importance but we have Mr. Pryor with us and we are delighted to have him up here. We never like to let anybody come before our court without hearing from them so we would be glad to have Mr. Pryor give us a little outline of the legislation.

STATEMENT OF HON. DAVID PRYOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. PRYOR. I thank the chairman very much and also the members of the Committee on Agriculture for giving me this opportunity to appear before you today in behalf of H.R. 10864.

Mr. Chairman and members of the committee, I think this basic story of this basic case is based on one sentence that was written to me by Mr. Peter Joers, chairman of the board of the Dierks Forests, Inc., in Arkansas. He wrote me, and I quote:

A long time ago we traded the Government for some land on a mutual agreement and the Government gave us some land which they did not have a good title to. We are trying to get this cleared up so I am sending you the whole file so you will be aware of it.

H.R. 10864 would amend recent land exchange between the Forest Service of the Department of Agriculture and a progressive timber company of my State, Dierks Forests, Inc.

The exchange was carried out in 1959. Dierks Forests offered some of their holdings within the Ouachita National Forest in exchange for national forest lands near its own holdings. The Forest Service agreed to this exchange and under the Exchange Act of March 20, 1922, a patent for the selected national forest lands was granted to Dierks Forests.

Soon after this patent was issued it came to the attention of Dierks that some third parties were claiming the 40-acre tract referred to in this bill. These claimants, it was discovered, had paid taxes for these lands for many years, had fenced a part of the tract, used it for production of hay, and cut timber from it.

The claim of these people arises apparently from an error that was made in the posting in the General Land Office records of an entry for lands of similar description. After this entry there were a number of deeds that transferred the 40-acre tract patented to Dierks down to the present claimants.

The result of this transaction is that Dierks Forest transferred some of its lands to the Forest Service and receive a lawsuit in exchange. The Forest Service advises that had they known of the claims to the 40-acre tract, it would not have been included in the exchange to Dierks.

H.R. 10864 would remedy this situation. It would authorize the Secretary of Agriculture to convey to Dierks title to a 5.28-acre area. This area is part of a 20-acre tract, the rest of which was transferred to Dierks by the United States in 1953 in settling a title problem. Thus when the 5.28-acre area is granted to Dierks they will have ownership of the full 20 acres.

The bill would do equity to all the parties concerned. It provides that when Dierks reconveys the 40-acre tract to the Government it would resume the same status as it had prior to the exchange. Thus the third party claimants would stand just as they did before the exchange patent was issued.

And further, Mr. Chairman, to the very best of our knowledge and after full and diligent research, we have found no objection from the Department of Agriculture, the Forest Service, or the Department of Interior to this legislation. We feel that this is clearly a simple piece of legislation, but necessary piece of legislation, which would do equity to all parties concerned.

If there are any questions I would be most happy to attempt to answer them.

The CHAIRMAN. Does this not all go back a matter of some 115 years ago when this land was originally patented and the original claimants moved in and actually occupied a piece of land? When it was patented, as I understand it, it was described as being the southeast quarter of the southeast quarter of section 22, township 1, range 17 west, when as a matter of fact it should have been the southeast quarter of the southeast quarter of section 22 of township 10? Maybe it was the other way. Anyhow, they reversed the 10 and the one and they reversed 16 and 17 in describing the range. Back more than a hundred years ago there was an error in writing the description. Somebody put in a zero where they should not have put a zero.

Mr. PRYOR. That is right, Mr. Chairman.

The CHAIRMAN. And these people were actually in possession for more than a hundred years of the land, thinking that they had perfect title to it, and it had passed hands a number of times, everybody accepting it. Of course the record title was good to this particular piece of land but actually, the land was somewhere else and just was not where they thought it was.

Mr. PRYOR. That is right.

The CHAIRMAN. That is the way the thing happened, as I understand. The United States Government thought they were conveying the right land and your people thought they were getting the right land, but actually they got something the Government did not have title to.

Mr. PRYOR. I think that is correct, sir.

The CHAIRMAN. This is nothing but an effort to correct this old error and the only reason for this delay has been the fact that the Bureau of the Budget has been a long time in giving their approval to the report from the Department of Agriculture?

Mr. PRYOR. Yes.

Mr. KLEPPE. As I look at this bill, Mr. Pryor, it is a meets and bounds description. My question is—I have never seen this language used before—what is a chain, 5.85 chains?

Mr. PRYOR. This, of course, is a measurement.

Mr. KLEPPE. How long is a chain? Does anybody know this?

Mr. MYERS. I believe it is four rods.

Mr. KLEPPE. I have never seen this used before.

The CHAIRMAN. Are there any other questions?

(Off the record.)

The CHAIRMAN. If there are no further questions, we are very much obliged to the great Representative from Arkansas.

Mr. PRYOR. I wish to thank the chairman and the great Committee on Agriculture.

The CHAIRMAN. I think in view of the fact that we have the written report of the Department now, we do not need to hear the Forest Service. We do appreciate your coming. I do not see any purpose unless somebody wants to ask some questions.

We will put the prepared statement in the record.

(The statement follows:)

STATEMENT OF RUSSELL P. MC ROREY, DIRECTOR, DIVISION OF LAND ADJUSTMENTS, FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee, I am pleased with this opportunity to make a statement on H.R. 10864.

H.R. 10864 would authorize the Secretary of Agriculture to convey by quitclaim deed, without consideration, to Dierks Forests, Incorporated, 5.28 acres, more or less, of land in Saline County, Arkansas, described in the bill. This conveyance would be made upon condition that Dierks Forests, Incorporated, shall execute and record a reconveyance to the United States of a tract of land patented by the United States to Dierks on January 7, 1959. The bill would provide that the reconveyed tract would be held and treated as if it had not been patented.

Because of the special circumstances of this case the Department of Agriculture would have no objection to the enactment of H.R. 10864.

The effect of the bill would be to amend a 1959 land exchange between Dierks Forests, Incorporated and the Forest Service, under the General Exchange Act of March 20, 1922. In consummating this exchange, the United States issued a patent to Dierks Forests, Incorporated, which included a 40-acre tract that was subsequently found to be claimed by third parties. This claim is based on a chain of title beginning with a General Land Office entry dated December 30, 1854. Apparently the original claim developed from an erroneous posting in the General Land Office tract book. The details of this error are described in our report to the Committee. The third party claimants of the 40-acre tract which was patented to Dierks Forests, Incorporated, have paid taxes over many years, both before and since this area was included in the Ouachita National Forest in 1936. They have partially fenced the area, cut some timber on it, cut hay on it and otherwise exercised possession over the years. Had these facts been ascertained at the time this 40 was included in the exchange it would have been excluded.

In any event, the facts now disclosed indicate that the third party claimants might have sought a patent under the Color of Title Act if it had not been for the exchange patent.

However, since their patent was issued in accordance with the procedures of the Bureau of Land Management, the Government has no present jurisdiction over the 40 acres in question.

On the other hand, it appears that Dierks Forests, Incorporated, has received little or nothing as to the 40. The deeding of the 5.28 acres, more or less, as described in this bill would in effect equitably amend the original exchange. The 5.28 acres is a part of a 20-acre tract, the balance of which was quitclaimed in 1953 to Dierks Forests, Incorporated, by the United States in settlement of a title problem. Conveyance of the 5.28 acre portion under H.R. 10864 would give Dierks Forests, Incorporated, ownership of the entire 20 acres.

To complete the adjustment and do equity to all parties concerned, we believe that Dierks Forests, Incorporated, should reconvey the 40-acre tract to the United States. Once reconveyed, the 40-acre tract would resume the same status as it had prior to the conveyance to Dierks Forests, Incorporated. The third party claimants could then seek patent under the Color of Title Act as if the exchange patent had never been issued. The bill would provide the necessary authority to accomplish this.

The CHAIRMAN. If there is something you want to discuss, we will certainly be glad to hear it. We had felt since we did not have a report we had to have witnesses, but we now have a report.

Mr. McRORY. It would be very nice to appear before the great Agriculture Committee, but we will defer it, Mr. Chairman.

The CHAIRMAN. Thank you. The committee will go into executive session.

(Whereupon, the committee proceeded to executive session.)

DELIVERY OF RICE MARKETING EXCESS TO COMMODITY CREDIT CORPORATION

THURSDAY, NOVEMBER 9, 1967

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON OIL SEEDS AND RICE OF THE
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 1302 Longworth House Office Building, Hon. Maston O'Neal (chairman of the subcommittee) presiding.

Present: Representatives O'Neal, and Gathings.

Also present: Martha S. Hannah, subcommittee clerk.

Mr. O'NEAL. The subcommittee will come to order.

The committee meets this morning to consider S. 2195, a bill to amend the marketing report provisions of the Agricultural Adjustment Act of 1938 as amended with respect to rice.

(S. 2195 follows:)

[S. 2195, 90th Cong., first sess.]

AN ACT To amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end of subsection (e) thereof a new sentence as follows: "If the farm marketing excess of rice determined for any farm is delivered to Commodity Credit Corporation or any other agency within the Department, in accordance with regulations prescribed by the Secretary, such farm shall be considered to be in compliance with the rice acreage allotment for such year."

Passed the Senate September 21, 1967.

Attest:

FRANCIS R. VALEO,
Secretary.

Mr. O'NEAL. We are pleased to have Mr. Ray Fitzgerald and Mr. and Mr. Ed Rollins with us from the Department of Agriculture. Mr. Fitzgerald is the Deputy Administrator of State and County Operations for ASCS, and Mr. Rollins is the Grain Production Specialist of the Farmer Program Division of the ASCS.

I believe, Mr. Fitzgerald, you have a prepared statement here. Is Mr. Rollins just accompanying you or does he have a statement also?

STATEMENT OF RAY FITZGERALD, DEPUTY ADMINISTRATOR,
STATE AND COUNTY OPERATIONS, ASCS, ACCOMPANIED BY
ED ROLLINS, GRAIN PRODUCTION SPECIALIST, FARMER PRO-
GRAMS DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. FITZGERALD. He is just accompanying me, Mr. Chairman.

Mr. O'NEAL. Mr. Fitzgerald, you may proceed, then.

Mr. FITZGERALD. Thank you, Mr. Chairman.

Mr. Chairman and members of the subcommittee: I appreciate the opportunity to appear in connection with your consideration of S. 2195.

Under existing legislation price support for rice is not available to those producers on a farm on which the acreage planted to rice exceeds the farm acreage allotment even though the marketing quota penalty may be avoided by delivery of the excess rice to the Department, in accordance with regulations prescribed by the Secretary.

There are occasions when a producer finds that the acreage planted to rice on his farm is in excess of the farm allotment and would like to get into compliance yet it is impractical for him to destroy the excess prior to the administrative disposition date. Frequently, because of the irrigated condition under which rice is grown, he cannot enter the field with the equipment necessary to satisfactorily destroy the excess rice by such date. In some instances he may not be able to do so prior to time of harvest. The disposition date is established by regulation and is a date which is considered to be at least 30 days prior to the date harvest of the crop begins in the county.

When marketing quotas are in effect any excess rice not destroyed by the disposition date is subject to a marketing quota penalty and the total production from the farm is ineligible for price support.

The marketing quota penalty may be avoided under existing law by delivery of the farm marketing excess to the Commodity Credit Corporation or any other agency of the Department, in accordance with regulations prescribed by the Secretary. However, none of the production from the farm is eligible for price support since the farm acreage allotment is overplanted.

The primary objective of this bill is to allow a producer to harvest his excess acreage and deliver the farm marketing excess as determined by the county committee to the Commodity Credit Corporation or other agency of the Department, in accordance with regulations prescribed by the Secretary, instead of being required to destroy the excess in order to be considered in compliance and eligible for price support on the remainder of his production from the farm.

Although it is believed this provision would be used infrequently and when used the acreage involved would normally be small, we think enactment of this proposed legislation would improve program operations. Enactment would appear to present no administrative problem and would provide equity among farmers since a farmer who wishes to deliver his farm marketing excess under the provision instead of destroying the excess acreage would be required to obtain the approval of the ASC county committee not later than aforementioned disposition date in the county.

That concludes my statement, Mr. Chairman.

Mr. O'NEAL. Thank you, Mr. Fitzgerald.

Since I do not come from a rice-growing section, my background knowledge is not very deep on this matter. When you say "deliver," I assume you mean deliver free. There would be no payment for the rice?

Mr. FITZGERALD. That is true, yes, sir.

Mr. O'NEAL. As matters now stand, without this legislation or proposed legislation, there are occasions when a farmer would deliver this rice, but simply for the purpose of avoiding a penalty rather than for qualifying for the payments?

Mr. FITZGERALD. Yes, sir; that is true. In rice today, under the existing legislation, a farmer who produces in excess may avoid the marketing quota penalty by delivering his excess to the Secretary, but he is still ineligible for price support for the remainder of his rice.

Mr. O'NEAL. Do you have any figures or could you tell me in general terms how much the CCC acquires in this manner?

Mr. FITZGERALD. There has been none in rice. Some in wheat, but none in rice.

Mr. O'NEAL. None? You mean it just does not happen?

Mr. FITZGERALD. That is right.

Mr. O'NEAL. This is because the farmer is very careful to not plant in excess——

Mr. FITZGERALD. Or that he makes every attempt to destroy the excess before the disposition.

Mr. O'NEAL. Would you repeat that, please?

Mr. FITZGERALD. Either he does not overplant or he takes great care to destroy the excess rice before the disposition date.

Mr. O'NEAL. Before the disposition date?

Mr. FITZGERALD. Yes, sir.

Mr. O'NEAL. This being true, why is this bill necessary?

Mr. FITZGERALD. Because for one thing, it is very difficult for some farmers at some stage of the irrigation process of producing rice to make this disposition or destroy this excess rice, because at various times, under water, it is difficult to get machinery in there. This has been a problem for some time.

Mr. O'NEAL. This bill would cause them to relax, then, and not have to be as careful and let the rice mature and gather the crop, but simply give it to CCC.

Mr. FITZGERALD. If he had a little bit of excess, that is true.

Mr. O'NEAL. If he had a little bit of excess?

Mr. FITZGERALD. Yes, sir. It would make it more like wheat at the present time, sir.

Mr. O'NEAL. Well, I do not understand how it is with wheat.

The general effect of the bill would be to give an easing of the regulations as far as the farmers are concerned. I mean it would put him in a position where he did not have to go to this trouble, and it would also have the effect of the CCC perhaps acquiring a little rice?

Mr. FITZGERALD. Well, Mr. Chairman, basically, it changes the definition of a "cooperator" for our purposes so that does not extend any new authority. A rice farmer now can produce in excess and deliver to the Secretary, but only to avoid the marketing penalty. Now he may avoid——

Mr. O'NEAL. Well, this is a very important consideration with him.

Mr. FITZGERALD. That is right. With the legislation, he would be able to do the same thing—deliver to the Secretary, avoid the marketing penalty, but he would not get the support price on that. He would be a cooperator, then.

Mr. O'NEAL. But you say this is never done because the farmer is careful to avoid it.

Mr. FITZGERALD. Yes.

Mr. O'NEAL. If this bill were passed, he would not have to be quite as careful.

Mr. FITZGERALD. This is true.

Mr. O'NEAL. At the same time, there would be no harm or damage done to the program?

Mr. FITZGERALD. We think none at all.

Mr. O'NEAL. None at all?

Mr. FITZGERALD. That is right.

Mr. O'NEAL. As a matter of fact, as I understand it, this bill has passed the Senate in its present form and without any amendments?

Mr. FITZGERALD. Yes, sir.

Mr. O'NEAL. As originally introduced.

Mr. FITZGERALD. Yes, sir.

Mr. ROLLINS. Mr. Chairman, may I add just one point?

Mr. O'NEAL. Yes, Mr. Rollins.

Mr. ROLLINS. There are at the present time something less than 1 percent of the rice farmers annually who do overplant. Now, when that is done in the case of our marketing quota program, first he may pay the monetary marketing quota penalty. As Mr. Fitzgerald said, though, he is not eligible for support on the remainder of his crop.

Secondly, he may store the excess under bond and leave it stored for the purpose of perhaps underplanting or underproducing in a subsequent year, in which case he would avoid the penalty by having done so.

Third, he may deliver the excess to the Secretary, as has just been stated.

Now, in the first category now, approximately half of the farmers of the less than 1 percent who do overplant in rice pay the penalty. The remaining half formally would store the excess under bond and either underplant or underproduce in a subsequent year and avoid the penalty.

Thirdly, the third provision, to deliver to the Secretary, has not been exercised in the past in the 13 years in which rice marketing quotas have been in effect.

Mr. O'NEAL. Because the first two are more popular with the farmer?

Mr. ROLLINS. Generally that is true. That is the point I wanted to make clear. There are some who overplant who do not currently dispose of their excess because of the condition just stated, the physical condition of the field. But the fact that they are over, they usually exercise either the payment of the penalty or the storage provisions first, and presumably, we think they do continue to do so.

However, if they chose not to and delivered the excess to the Secretary—

Mr. O'NEAL. No harm would be done.

Mr. ROLLINS. There would be no harm done either now or subsequently, except that in the future, he would be eligible for price support.

Mr. O'NEAL. But you still expect the first two to be more popular with the farmer.

Mr. ROLLINS. We think they would; yes, sir.

Mr. O'NEAL. But if they are not and he followed the first course, no harm could be done to anybody that you can see?

Mr. ROLLINS. None that we can see. No, sir.

Mr. O'NEAL. Thank you very much.

Mr. GATHINGS?

Mr. GATHINGS. Thank you very much, Mr. Chairman.

You gentlemen have made a very fine statement as to the purposes of this legislation. When is the administrative disposition date?

Mr. FITZGERALD. Generally 30 days before harvest.

Mr. GATHINGS. About 30 days in any particular area?

Mr. FITZGERALD. In any particular area. Yes, sir.

Mr. GATHINGS. That varies from——

Mr. FITZGERALD. It varies from State to State and——

Mr. GATHINGS. From farm to farm.

Mr. FITZGERALD. Yes.

Mr. GATHINGS. Mr. Rollins stated only about 1 percent of the rice is generally overplanted.

Mr. ROLLINS. That is right.

Mr. GATHINGS. That situation generally does not exist with regard to cotton. So many cotton farmers want to be sure, so they like to plant a little over in order to be sure that they will plant the whole allotment and get a good stand of cotton.

Mr. ROLLINS. Yes, sir.

Mr. GATHINGS. Is that not the situation with regard to rice?

Mr. ROLLINS. Well, Mr. Gathings, I could only surmise that it is perhaps due to the fact that the penalty in the case of rice is based on 65 percent of parity, which is a rather stiff monetary penalty, and they can hardly afford, in my opinion, to exceed the allotment. However, it does happen sometimes and usually by reasonably small acreage. That primarily is the situation that we are talking about. The man who is over normally a small acreage, he could not get into the field prior to the disposition date to destroy the excess in order to become a cooperator, and this would afford him an opportunity to take this route and become a cooperator and be entitled to price support on the remainder of his crop.

Mr. GATHINGS. Only a small part of this 1 percent of overplanted rice, you estimate, will be delivered to the Secretary under this authority in this bill?

Mr. ROLLINS. We think so; yes, sir. Of course, I must admit that the incentive to deliver it would be somewhat greater under this provision than in the past, because he would become a cooperator. But due to the fact that in the past 13 years, none have ever delivered for the purpose of evading the marketing quota penalty, or avoiding it, I would still consider that there would be a large number that do overplant who would continue to pay the penalty or store their excess rather than to go this route. Because if, under our regulations which are currently provided and presumably would remain in effect, it would not be just a simple matter of saying to our local county officer people or the county committee, "I am going to deliver this to the Secretary." He would state that he would prefer to, under this provision, and then the county committee would direct him as to the point of delivery and it would be his responsibility to deliver the rice to some designated elevator or some particular place.

Now, that, within itself, would be inconvenient to the farmer, but I think that is reasonable in that it would not be just an automatic situation.

Mr. FITZGERALD. I might point out, Mr. Gathings—it is not exactly pertinent, perhaps, but under wheat, the same provision exists. In 1965, only 700 bushels were delivered to the Secretary; in 1966, only 500 bushels. So it is not a very big amount, probably, in any event.

Mr. GATHINGS. Let me ask you gentlemen now, did the Department request this legislation and send the bill over to the Speaker of the House and the Vice President so it would be introduced?

Mr. FITZGERALD. I think the original suggestion came from one of our State committees a couple of years ago, and I suspect at the request of one of the members, we did help them draw the bill.

Mr. GATHINGS. Do you recall anything about it, Mr. Rollins?

Mr. ROLLINS. I do not recall specifically, Mr. Gathings, but as I do recall at the moment, it did come forward from the Department last fall, perhaps in a package of any other legislation that might have been recommended by the Department. I am not sure, but I suspect that was the routing.

Mr. GATHINGS. What State was it, Mr. Fitzgerald, that this issue arose in? There are just so few that grow rice.

Mr. FITZGERALD. It happened to be out in California that it arose.

Mr. GATHINGS. The legislation will be beneficial, but otherwise, it is not of great import.

Mr. FITZGERALD. I think that is so; yes, sir.

Mr. O'NEAL. But as I understand it, there is not the least little bit of incentive here for any excess production.

Mr. FITZGERALD. No, sir.

Mr. O'NEAL. None whatever?

Mr. FITZGERALD. No.

Mr. O'NEAL. I do not know that this really affects consideration of the matter, but more or less out of curiosity, since these dates vary, the disposition dates, since they vary from community to community or State to State, who fixes them?

Does the county committee, the State committee, or the Secretary?

Mr. FITZGERALD. The State committee.

Mr. O'NEAL. The State committee?

Mr. FITZGERALD. Yes, sir.

Mr. O'NEAL. And the matter, this idea, so far as you know, did not originate with any Member of the Senate or the House, but it originated in the administration of the matter in some local community and then finally got to the top and then you have sent it over to Congress?

Mr. FITZGERALD. That is my recollection; yes, sir.

Mr. O'NEAL. Thank you very much, gentlemen.

Mr. FITZGERALD. Thank you.

Mr. O'NEAL. I believe the record will show that there was an Executive Communication No. 932 in this connection. Without objection, this will be made a part of the record.

(The material referred to follows:)

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 17, 1967.

HON. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is enclosed for the consideration of the Congress a draft Bill providing an amendment to the Agricultural Adjustment Act of 1938, as amended, concerning certain operations under the rice acreage allotment and marketing quota program.

The Bill would amend section 356(e) of the Agricultural Adjustment Act of 1938, as amended, to provide that if the farm marketing excess of rice determined for any farm is delivered to the Commodity Credit Corporation or any other agency of the Department, in accordance with regulations prescribed by the

Secretary, such farm would be considered to be in compliance with the farm rice acreage allotment for such year. Because of the conditions under which rice is grown, destroying the excess acreage by the disposition date is difficult for the producer. Generally, the excess acreage is a relatively small area within a large field. The proposal, if enacted, would be applicable to all rice-producing States.

When the farm excess acreage is small, it is believed that producers would prefer to harvest such excess acreage and deliver the farm excess to the Secretary instead of being required to destroy such excess not later than a prescribed disposition date, if by doing so the farm would retain the status of a complying farm.

Enactment of this proposed legislation would not require additional funds and would improve program operations at the administrative level and for the farmer.

An identical letter and draft Bill has been submitted to the President of the Senate.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

A BILL To amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, assembled, That section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end of subsection (e) thereof a new sentence as follows:

"If the farm marketing excess of rice determined for any farm is delivered to Commodity Credit Corporation or any other agency within the Department, in accordance with regulations prescribed by the Secretary, such farm shall be considered to be in compliance with the rice acreage allotment for such year."

Mr. O'NEAL. This completes the open hearings of this subcommittee. The subcommittee will adjourn.

(Whereupon, at 10:25 a.m., the subcommittee was adjourned.)



LEGISLATIVE HISTORY

Public Law 90-475
H. R. 10864

TABLE OF CONTENTS

Index and summary of H. R. 10864	1
Digest of Public Law 90-475	2

INDEX AND SUMMARY OF H. R. 10864

June 14, 1967	Rep. Pryor introduced H. R. 10864 which was referred to House Agriculture Committee. Print of bill as introduced.
Nov. 8, 1967	House committee reported H. R. 10864 without amendment. H. Report 897. Print of bill and report.
Nov. 21, 1967	House passed H. R. 10864 without amendment.
Nov. 22, 1967	H. R. 10864 was referred to Senate Agriculture and Forestry Committee. Print of bill as referred.
Dec. 6, 1967	Senate committee voted to report H. R. 10864.
Dec. 8, 1967	Senate committee reported H. R. 10864 with an amendment. S. Report 909. Print of bill and report.
Dec. 11, 1967	Senate passed H. R. 10864 as reported. The bill was amended by the Senate committee to provide one-price program for extra-long staple cotton.
Dec. 13, 1967	House conferees were appointed.
Jan. 18, 1968	Senate conferees were appointed.
July 30, 1968	Senate received and agreed to the conference report. H. Report 1826. Print of report.
July 31, 1968	House received conference report.
Aug. 1, 1968	House agreed to conference report.
Aug. 11, 1968	Approved: Public Law 90-475.

DIGEST OF PUBLIC LAW 90-475

EXTRA LONG STAPLE COTTON, DIERKS FORESTS. Amends the Agricultural Adjustment Act of 1938, as, amended, to add provisions relative to the extra-long-staple cotton program to provide for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton will be more in line with the price of upland cotton and will move into the market instead of into the hands of the Commodity Credit Corporation, and to provide for a method of disposing of surplus stocks. Authorizes the Secretary of Agriculture to convey certain lands in Saline County, Arkansas to Dierks Forests, Inc.

90TH CONGRESS
1ST SESSION

H. R. 10864

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1967

Mr. PRYOR introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized to convey by
4 quitclaim deed to Dierks Forests, Incorporated, all of the
5 right, title, and interest of the United States in and to the
6 following described tract of land in the county of Saline,
7 State of Arkansas:

8 Beginning at the northeast corner of the northeast
9 quarter of the northwest quarter of section 1, township
10 1 north, range 18 west, fifth principal meridian;

1 thence west along the north boundary line of the
2 east 20 acres of said northeast quarter of the northwest
3 quarter to the northwest corner thereof;

4 thence south 5.85 chains along the west boundary
5 line of said east 20 acres;

6 thence east 9.53 chains to the east boundary line
7 of said east 20 acres;

8 thence north along the east boundary line of said
9 east 20 acres to the place of beginning, containing 5.28
10 acres, more or less.

11 SEC. 2. The conveyance authorized by section 1 shall
12 be made upon condition that Dierks Forests, Incorporated,
13 shall execute and record a reconveyance to the United States
14 of the following described land patented to Dierks Forests,
15 Incorporated, on January 7, 1959, under patent numbered
16 1190250:

17 The southeast quarter of the southeast quarter of section
18 22, township 1 south, range 17 west, fifth principal meridian.

19 SEC. 3. Upon the reconveyance to the United States of
20 the land described in section 2, the tract shall be held and
21 treated as if it had not been patented.

A BILL

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

By Mr. PRYOR

JUNE 14, 1967

Referred to the Committee on Agriculture

LAND CONVEYANCE IN SALINE COUNTY, ARK.

NOVEMBER 8, 1967.—Committed to the Committee of the Whole House and ordered to be printed

Mr. POAGE, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 10864]

The Committee on Agriculture, to whom was referred the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

This bill authorizes the Secretary of Agriculture to convey by quitclaim deed, to Dierks Forests, Inc., 5.28 acres, more or less, of land in Saline County, Ark. This conveyance would be made upon condition that Dierks Forests, Inc., shall reconvey to the United States a 40-acre tract of land patented by the United States to Dierks Forests, Inc., on January 7, 1959.

The effect of the bill would be to amend the 1959 land exchange between Dierks Forests, Inc., and the Forest Service, under authority of the General Exchange Act of March 20, 1922.

NEED FOR THE LEGISLATION

In consummating the exchange in 1959, the United States issued a patent to Dierks Forests, Inc., a timber company, which included a 40-acre tract that was subsequently found to be claimed by third parties. This claim is based on a chain of title beginning with a General Land Office entry dated December 30, 1854. Apparently the original claim developed from an error made in posting in the General Land Office tract book.

The third party claimants have paid taxes on this tract for many years, both before and after the land was included in the Quachita

National Forest in 1936. They have erected fences on the land, cut timber and hay there, and have otherwise exercised possession thereon. Unfortunately, these facts were not known by either Dierks Forests, Inc., or the Forest Service at the time of the exchange.

In order to remedy this situation, H.R. 10864 would return the third party claimants to the same position they were in prior to the 1959 exchange. It will then be possible for them to seek a patent to the land under the Color of Title Act if they so desire. At the same time, Dierks Forests, Inc., will receive a 5.28-acre tract which they selected. This land will round out a 20-acre tract, the remainder of which was conveyed to Dierks Forests, Inc., in the 1959 exchange.

Because of the third party claimants, Dierks Forests, Inc., has received no benefit from the 40-acre tract. In effect, they were confronted with a lawsuit as a result of the exchange.

H.R. 10864 provides a fair solution to this unanticipated problem.

COST

Enactment of H.R. 10864 would not result in any cost to the Federal Government.

HEARINGS

Hearings were held before the Committee on Agriculture on November 2, 1967.

ADMINISTRATION POSITION

Following is the favorable report on H.R. 10864 submitted by the Department of Agriculture:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., November 1, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 10864, a bill to provide that the Secretary of Agriculture shall convey certain lands in Saline County, Ark., to the Dierks Forests, Ind.

Because of the special circumstances in this case, we would have no objection to enactment of this bill.

H.R. 10864 would authorize the Secretary of Agriculture to convey by quitclaim deed, without consideration, to Dierks Forests, Inc., 5.28 acres, more or less, of land in Saline County, Ark., described in the bill. This conveyance would be made upon condition that Dierks Forests, Inc., shall execute and record a reconveyance to the United States of a tract of land patented by the United States to Dierks on January 7, 1959. The bill would provide that the reconveyed tract would be held and treated as if it had not been patented.

The bill would in effect amend the land exchange consummated in 1959 wherein the Dierks Forests, Inc., offered certain of their lands in exchange for lands of the United States administered by the Forest Service. The exchange was under authority of the act of March 20, 1922 (42 Stat. 465, as amended, 16 U.S.C. 485, 486).

In consummating the 1959 exchange, the United States issued patent No. 1,190,250 to Dierks Forests, Inc. Included in the patent was

a 40-acre tract described as SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, 5th principal meridian. Shortly after issuance of patent it was discovered that this 40-acre tract was being claimed by third parties based on a chain of title beginning with a General Land Office entry dated December 30, 1854. Apparently the original claim developed when a December 30, 1854, entry for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 10 south, range 16 west, 5th principal meridian, was erroneously posted in the General Land Office tract book as being for SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west. Following this entry there was a successive chain of deeds for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, down to the present claimants, notwithstanding the fact that the patent to the entry which was issued on July 1, 1857, described the land correctly and the entry was correctly posted in the then General Land Office on March 15, 1894.

Third party claimants of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, have paid taxes over the many years, both before and since this area was included in the Ouachita National Forest by Presidential proclamation of October 12, 1936. They have partially fenced the area, cut some timber on it, cut hay on it, and otherwise exercised possession over the years. Had these facts been ascertained at the time this forty was included in the exchange, it would have been excluded.

In any event, the facts now disclosed indicate that the third party claimants might have sought a patent under the Color of Title Act (45 Stat. 1069, as amended, 43 U.S.C. 1068-1068b) if it had not been for the exchange patent.

However, since patent No. 1,190,250 was issued in accordance with the procedures of the Bureau of Land Management, the Government has no present jurisdiction over the 40 acres in question.

On the other hand, it appears that Dierks Forests, Inc., has received little or nothing as to this 40. The deeding of the 5.28 acres, more or less, as described in this bill would in effect equitably amend the original exchange. The 5.28 acres is part of a tract consisting of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ section 1, township 1 north, range 18 west, and containing 20 acres. Of this total, 14.72 acres were quitclaimed in 1953 to Dierks Forests, Inc., by the United States in settlement of a title problem. Conveyance of the remaining 5.28 acre portion under H.R. 10864 would give Dierks Forests, Inc., ownership of the entire 20 acres.

To complete the adjustment and do equity to all parties concerned, we believe that Dierks Forests, Inc., should reconvey the 40-acre tract to the United States. Once reconveyed, the 40-acre tract would resume the same status as it had prior to the conveyance to Dierks Forests, Inc. The third party claimants could then seek patent under the Color of Title Act as if the exchange patent had never been issued. The bill would provide the necessary authority to accomplish this.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

Private Calendar No. 313

90TH CONGRESS
1ST SESSION

H. R. 10864

[Report No. 897]

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1967

Mr. PRYOR introduced the following bill; which was referred to the Committee on Agriculture

NOVEMBER 8, 1967

Committed to the Committee of the Whole House and ordered to be printed

A BILL

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized to convey by
4 quitclaim deed to Dierks Forests, Incorporated, all of the
5 right, title, and interest of the United States in and to the
6 following described tract of land in the county of Saline,
7 State of Arkansas:

8 Beginning at the northeast corner of the northeast
9 quarter of the northwest quarter of section 1, township
10 1 north, range 18 west, fifth principal meridian;

1 thence west along the north boundary line of the
2 east 20 acres of said northeast quarter of the northwest
3 quarter to the northwest corner thereof;

4 thence south 5.85 chains along the west boundary
5 line of said east 20 acres;

6 thence east 9.53 chains to the east boundary line
7 of said east 20 acres;

8 thence north along the east boundary line of said
9 east 20 acres to the place of beginning, containing 5.28
10 acres, more or less.

11 SEC. 2. The conveyance authorized by section 1 shall
12 be made upon condition that Dierks Forests, Incorporated,
13 shall execute and record a reconveyance to the United States
14 of the following described land patented to Dierks Forests,
15 Incorporated, on January 7, 1959, under patent numbered
16 1190250:

17 The southeast quarter of the southeast quarter of section
18 22, township 1 south, range 17 west, fifth principal meridian.

19 SEC. 3. Upon the reconveyance to the United States of
20 the land described in section 2, the tract shall be held and
21 treated as if it had not been patented.

90TH CONGRESS
1ST Session

H. R. 10864

[Report No. 897]

A BILL

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

By Mr. PRYOR

JUNE 14, 1967

Referred to the Committee on Agriculture

NOVEMBER 8, 1967

Committed to the Committee of the Whole House and
ordered to be printed

CERTAIN EMPLOYEES AT U.S. NAVAL STATIONS IN FLORIDA

The Clerk called the bill (H.R. 7882) for the relief of certain individuals employed by the Department of the Navy at certain U.S. naval stations in Florida.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CIVILIAN EMPLOYEES AT KELLY AIR FORCE BASE, TEX.

The Clerk called the bill (H.R. 8096) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RICHARD BELK

The Clerk called the bill (H.R. 8481) for the relief of Richard Belk.

There being no objection, the Clerk read the bill, as follows:

H.R. 8481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard Belk of Albany, Georgia, is relieved of liability to the United States in the amount of \$239.44, representing the total amount of overpayments of salary received by the said Richard Belk, as a result of administrative error, during the period beginning July 8, 1962, and ending December 8, 1963, while employed at the Marine Corps Supply Center, Albany, Georgia. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Richard Belk an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

On page 1, line 4, strike "\$239.44" and insert "\$236.60".

On page 1, line 7, strike "December 8" and insert "December 7".

On page 2, line 11, strike "in excess of 100 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN M. STEVENS

The Clerk called the bill (H.R. 10003) for the relief of John M. Stevens.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LLOYD W. CORBISIER

The Clerk called the bill (H.R. 10199) for the relief of Lloyd W. Corbisier.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

E. L. TOWNLEY

The Clerk called the bill (H.R. 11381) for the relief of E. L. Townley.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOSEPH M. HEPWORTH

The Clerk called the bill (H.R. 12119) for the relief of Joseph M. Hepworth.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROCHESTER IRON & METAL CO.

The Clerk called the bill (H.R. 7210) for the relief of the Rochester Iron & Metal Co.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CONFER U.S. CITIZENSHIP UPON PFC. ALFRED SEVENSKI

The Clerk called the bill (H.R. 8476) to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski.

There being no objection, the Clerk read the bill, as follows:

H.R. 8476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the late Private First Class Alfred Sevenski, a native of Germany, who entered the United

States on July 3, 1961, enlisted in the Army of the United States, served two and one-half years and was killed in action in Vietnam on November 5, 1966, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE IN SALINE COUNTY, ARK.

The Clerk called the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 10864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed to Dierks Forests, Incorporated, all of the right, title, and interest of the United States in and to the following described tract of land in the county of Saline, State of Arkansas:

Beginning at the northeast corner of the northeast quarter of the northwest quarter of section 1, township 1 north, range 18 west, fifth principal meridian;

thence west along the north boundary line of the east 20 acres of said northeast quarter of the northwest quarter to the northwest corner thereof;

thence south 5.85 chains along the west boundary line of said east 20 acres;

thence east 9.53 chains to the east boundary line of said east 20 acres;

thence north along the east boundary line of said east 20 acres to the place of beginning, containing 5.28 acres, more or less.

SEC. 2. The conveyance authorized by section 1 shall be made upon condition that Dierks Forests, Incorporated, shall execute and record a reconveyance to the United States of the following described land patented to Dierks Forest, Incorporated, on January 7, 1959, under patent numbered 1190250:

The southeast quarter of the southeast quarter of section 22, township 1 south, range 17 west, fifth principal meridian.

SEC. 3. Upon the reconveyance to the United States of the land described in section 2, the tract shall be held and treated as if it had not been patented.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

KYONG HWAN CHANG

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1781) for the relief of Kyong Hwan Chang.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Kyong Hwan Chang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**APPOINTMENT OF CONFEREES ON
H.R. 10932, FOR THE RELIEF OF
GILMOUR C. MacDONALD, COLONEL,
U.S. AIR FORCE, RETIRED**

Mr. TENZER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, retired, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. ASHMORE, TENZER, and SMITH of New York.

MILITARY CONSTRUCTION APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. SIKES. Mr. Speaker, I call up the conference report on the bill (H.R. 13606) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 20, 1967.)

Mr. SIKES. Mr. Speaker, on the military construction appropriation bill for fiscal 1968 the conferees are in the unusual position of bringing to the floor a bill which is below the House figure and below the Senate figure. The recommendation before you is \$49 million below the House-passed bill and \$6 million below the Senate bill. It is \$843 million below the budget estimate for 1968. The total approved in the bill is \$2,093,362,000.

As I stated at the time the House took action on this bill, the cut is one of the most severe imposed on any bill considered by Congress this year. It is entirely possible that we have cut too deeply in places. Of course, this is not in-

tended, we are simply facing up to a very difficult fiscal situation nationwide.

I do not, under any circumstances, want to encourage action which would deprive our military forces of needed training facilities or adequate housing or necessary supply facilities. Each of us recognizes the fact that there are substandard facilities at a great many of our military installations which should be replaced. I do not want to be a party to serving notice to military personnel, many of whom are now engaged in combat in Southeast Asia, that Congress really does not care whether they have adequate training and supply facilities; or proper housing for themselves and their families; that Congress really does not care whether or not they reenlist, to save the Government the high cost of training replacements. I do not want to be in the position of saying that the Congress really does not consider military personnel to be first-class citizens, despite our patriotic utterances about their sacrifices.

Despite this apprehension, the fact that the fiscal year is nearly half gone makes it obvious that it is going to be difficult for the Department of Defense and its respective services to program and obligate all of the money which is carried in this bill. Consequently, I feel that we are on safe ground.

Take for instance, the matter of housing. The Department of Defense requested 12,500 new family housing units. This was reduced in the authorization to 10,600 units; in the House appropriations bill it was reduced to 8,500 units; the Senate reduced it further to 5,000 units. The conference action before you recommends 6,750 units. This, I think, would be far too low if it were not so late in the fiscal year and if there were not a backlog of 5,300 units from previously appropriated funds which have not been built. Obviously, the Department needs to move as expeditiously as possible on past and present authorizations before construction costs go any higher. I trust that the Department will bring in a realistic program for family housing in fiscal 1969 which is keyed in with the units now available for construction.

The conferees are in agreement that funds appropriated for family housing shall be available for the payment of certain taxes in the Federal Republic of Germany as proposed in the budget program.

There are a number of line items in this bill which are necessitated by fires which destroyed facilities in various parts of the world. Obviously, these expenditures had not been anticipated and they increase the total.

There are for the first time in this bill the funds for NATO infrastructure. The Department had requested \$60 million for participation for construction of facilities for use by the NATO forces. The House appropriated \$50 million; the Senate \$25 million. This bill carries \$37,500,000.

The House conferees want it specifically understood that this reduction in funds is not an effort to downgrade NATO. We recognize the essentiality of keeping NATO as strong as possible. Even

though it has not received the support from our allies that they promised, and even though France has dealt it a grievous blow, it is still an important part of the defense of Europe. It is essential that we let it be known that we are meeting our commitments and our obligations to NATO.

Particularly is this true at a time when we are so heavily committed in the Far East. We want to take no steps that would encourage the further weakening of the NATO Alliance in Europe. Consequently, if additional funds are needed to assure our fair share of participation in NATO construction, we will anticipate a request from the Department of Defense for funds for that purpose. By the same token, the House conferees want it understood that we do not believe a proper share of the NATO load has been carried by our allies in the past and we insist that a more realistic effort be made by the U.S. representatives to obtain a larger share of the funding for NATO costs, and prompt payment by our allies.

I am disappointed in that this report does not provide for the full expenditure requested for the TAB VEE program which would provide shelters for aircraft in forward bases in Europe and in the Pacific. The Senate conferees were adamant against the shelter program, and after hours of fruitless argument the House conferees agreed to a partial program. After the lessons of the brief war in the Mideast where most of the Arab aircraft were destroyed on the ground, it should be very easy to recognize the danger of being left without air defenses by sudden, swift strikes on unprotected aircraft. I feel that this is one of the serious omissions in this bill. I hope that later programs will correct the deficiency.

There are a number of major items in this bill which are not listed in the conference report. Significant among these is the anti-ballistic-missile system which was not in disagreement. It will provide a start for correcting a serious weakness which exists in our country from failure to build an ABM system paralleling that being built by the Russians. Appropriated funds have waited for 2 years to be expended by the Department of Defense on this program and only now are they being used. The Russians are well along on their ABM system. The frightening, swift strides which China appears to be making in nuclear weapons development indicates that they may be capable of an effective nuclear strike against the United States before we can provide a defense, even against their missiles.

Finally, the committee brings you what we consider to be the best bill that can be obtained without long delay in reaching agreement with the Senate, which in turn would necessitate further delays in getting started on a needed program in a fiscal year which already is nearly half gone. The bill provides many important and sound facilities which will represent very useful improvements for the Nation's military installations, both at home and abroad. We trust the recommendations of the conferees will have your approval.

Before I relinquish the floor, let me express my very great appreciation to

90TH CONGRESS
1ST SESSION

H. R. 10864

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1967

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That the Secretary of Agriculture is authorized to convey by
4 quitclaim deed to Dierks Forests, Incorporated, all of the
5 right, title, and interest of the United States in and to the
6 following described tract of land in the county of Saline,
7 State of Arkansas:

8 Beginning at the northeast corner of the northeast
9 quarter of the northwest quarter of section 1, township
10 1 north, range 18 west, fifth principal meridian;

IV

★(Star Print)

1 thence west along the north boundary line of the
2 east 20 acres of said northeast quarter of the northwest
3 quarter to the northwest corner thereof;

4 thence south 5.85 chains along the west boundary
5 line of said east 20 acres;

6 thence east 9.53 chains to the east boundary line
7 of said east 20 acres;

8 thence north along the east boundary line of said
9 east 20 acres to the place of beginning, containing 5.28
10 acres, more or less.

11 SEC. 2. The conveyance authorized by section 1 shall
12 be made upon condition that Dierks Forests, Incorporated,
13 shall execute and record a reconveyance to the United States
14 of the following described land patented to Dierks Forests,
15 Incorporated, on January 7, 1959, under patent numbered
16 1190250:

17 The southeast quarter of the southeast quarter of section
18 22, township 1 south, range 17 west, fifth principal meridian.

19 SEC. 3. Upon the reconveyance to the United States of
20 the land described in section 2, the tract shall be held and
21 treated as if it had not been patented.

 Passed the House of Representatives November 21,
1967.

Attest:

W. PAT JENNINGS,

Clerk.

AN ACT

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1967

Read twice and referred to the Committee on
Agriculture and Forestry

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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Issued December 7, 1967
For actions of December 6, 1967
90th-1st; No. 199

CONTENTS

Acreage allotments.....5	Extension services.....4	Pine gum.....5
Adjournment.....28	Farm income.....35	Price supports.....5
Age discrimination.....13	Farm program.....29	Public lands.....3,5,14,39
Anadromous fish.....26	Foods.....34,40	Recreation.....15,33,39
Animal research.....42	Foreign aid.....18,21	Spending.....17
Annuities.....44	Foreign trade.....25,36,37	Statistics.....30
Appalachia.....31	Forestry.....11,15,33	Sugar.....1
Award.....10	Highways.....20	Supplemental
Census.....41	Legislative program.....28	appropriations.....16
Civil rights.....38	Meat imports.....37	Taxation.....7,17,32
Congressional reform.....27	Meat inspection.....12	Urban affairs.....22
Credit.....24	National Grange.....8	Water.....23
Dairy imports.....36	National parks.....9,15,19,33	Wilderness.....15
Economy.....7,32	Organization.....45,27	Wildlife.....43,26
Education.....2	PPB.....46	
Electrification.....23	Peanuts.....5	

HIGHLIGHTS: Both Houses agreed to conference report on meat inspection bill. Senate agreed to extend sugar agreement. Senate committee ordered reported bills for crude pine gum production stabilization and peanut acreage allotment transfer. Senate committee reported bill to provide extension service to D.C.

SENATE

1. SUGAR. Agreed to, 84-0, the resolution of ratification to extend the International Sugar Agreement of 1958. pp. S18021-2
2. EDUCATION. Continued debate on H. R. 7819, the elementary and secondary education bill. pp. S18019-39
3. PUBLIC LANDS. Passed as reported S. 1059, to amend the Act relating to the leasing of lands in Alaska for grazing purposes. This bill is to encourage and

assist in the development of the livestock industry in Alaska. It authorizes a longer term of grazing leases to attract long term financing up to 55 years in place of 20 years. pp. S17954-5

Passed as reported S. 1058, to authorize the Secretary of the Interior to sell lands embraced in certain terminated entries. pp. S17953-4

Passed as reported S. 286, to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable. The purpose of this bill is to make the policies of the Bureau of Reclamation, with respect to the reimbursability of costs of investigations, uniform and consistent within the Bureau itself and other agencies of the Government. pp. S17951-2

4. EXTENSION SERVICES. The District of Columbia Committee reported with amendments S. 1999, to provide extension services for D. C. (S. Rept. 888). p. S17962
Sen. Proxmire commended the work of the Cooperative Extension Service in Wis. in aiding low-income families. p. S18000

5. AGRICULTURE LEGISLATION. The Agriculture and Forestry Committee ordered reported (but did not actually report) the following bills: With amendment S. 2511, to ~~provide price supports on crude pine gum; without amendment H. R. 11565, to authorize farmers to sell or lease their peanut acreage allotments;~~ and H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Ark., to a private firm. p. D1101

6. PAY BILL. Sen. Byrd, Va. commended the efforts of the Senate conferees on the bill to raise postal rates and increase the salaries of Federal employees, and urged the conferees to take the Senate position on the deletion of the provision to provide a Presidential salary commission. pp. S17986-7
7. ECONOMY; TAXATION. Sen. Proxmire disagreed with the proposed tax increase and stated that the devaluation of the British pound is no basis for a tax hike. pp. S17995-6
8. NATIONAL GRANGE. Sen. Mondale congratulated the National Grange on the celebration of its 100th anniversary. p. S17996
9. NATIONAL PARK. Sen. Yarborough inserted an article in support of his bill S. 4, to establish the Big Thicket National Park in Tex. pp. S18001-2
10. FEDERAL LAND BANK AWARD. Sen. Jordan, N. C., commended Sen. Holland on the receipt of the Federal Land Bank Golden Anniversary Medal Citation. p. S18003
11. FORESTRY. Sen. Morse urged that limitations be placed on log exports to Japan in an effort to protect the lumber industry of the Pacific Northwest. pp. S18046-7

HOUSE

12. MEAT INSPECTION. Both Houses agreed to (House vote 336-28) the conference report on H. R. 12144, the meat inspection bill (H. Rept. 998) (pp. H16454, H16335-55, S18039-46). This bill will now be sent to the President. As agreed to, the bill requires annual reports on the administration of the imported meat provisions of the act; deletes a provision in present law which gives the Secretary of Agriculture authority to exempt certain retail butchers and retail dealers from the application of full Federal meat inspection; provides for Federal

90TH CONGRESS }
1st Session }

SENATE }

REPORT
No. 909

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LAND CONVEYANCE IN SALINE COUNTY, ARK.

DECEMBER 8, 1967.—Ordered to be printed

Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H.R. 10864]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

EXPLANATION OF SECTIONS 1 THROUGH 3 OF THE BILL

Sections 1 through 3 of this bill authorize the Secretary of Agriculture to convey 5.28 acres of national forest land to Dierks Forests, Inc., upon condition that Dierks Forests, Inc. reconvey 40 acres to the United States. The 40-acre tract, which was conveyed to Dierks Forests as part of a 1959 land exchange, is subject to adverse claims by third parties and would not have been conveyed to Dierks Forests if it had been known to be subject to such claims. The Department of Agriculture has advised the committee informally that while precise appraisals of the two tracts have not been made, it has been determined that the value of the 40 acres to be conveyed to the Government is not less than the value of the 5.28 acres to be conveyed to Dierks Forests. The facts creating the need for this bill are set out in further detail in the attached favorable report of the Department of Agriculture.

EXPLANATION OF THE COMMITTEE AMENDMENT

The committee amendment, which would add sections 4 through 8 to the bill, deals with price support and acreage allotments for extra-long-staple cotton and is designed to restore the price of extra-long-staple cotton to a normal relationship with that for upland cotton.

The committee amendment would establish a compensatory payment program beginning with the 1968 crop of extra-long-staple cotton and would require mandatory national marketing quotas beginning with the 1969 crop of such cotton with a minimum quota not less than the amount of import quota in effect on August 1, 1967, for extra-long-staple cotton having a length of $1\frac{3}{8}$ inches or more under section 22 of the Agricultural Adjustment Act (of 1933); as amended. The import quota in effect on August 1, 1967, for the 1967-68 marketing year is 39,590,778 pounds which converts to approximately 82,480 standard bales (500 pounds gross weight). The 1968 national marketing quota would be adjusted so as to provide a 1968 national acreage allotment of 77,300 acres. The increased acreage would be allocated to States, counties, and farms on a pro rata basis.

Price support would consist of loans and payments. The bill would provide a loan level at from 150 to 200 percent of the loan level for upland cotton, as set by the Secretary (but in no event less than 35 cents per pound). Based on a 1968 upland rate at 20.25 cents, the 1968 extra-long-staple cotton loan rate could range between 35 and 40.5 cents. A payment would be made to producers at a rate which, when added to the loan rate, would provide a total price support at not less than 65 percent of the parity price for extra-long-staple cotton. If, for example, the loan rate for 1968 crop extra-long-staple cotton were 40 cents, the payment rate would be 8.7 cents (based on an assumed parity price of 74.9 cents). Price-support payments would be made to producers on the quantity of extra-long-staple cotton actually produced on an acreage planted on the farm within the farm allotment. However, for any crop for which the national acreage allotment is larger than the 1966 national allotment of 81,400 acres, a national factor would be obtained by dividing such national allotment by the 1966 national allotment. This factor would be applied to each farm allotment and the production from the acreage thus obtained would be the maximum quantity on which payment could be made. For example, if the 1970 national allotment were 100,000 acres, the factor would be 0.814. A producer with a farm allotment of 100 acres could plant 81.4 acres and receive the price-support payment on the entire production of extra-long-staple cotton on the farm. If he elected to plant 90 acres instead of 81.4 acres, he would receive the price-support payment on a quantity of extra-long-staple cotton produced on the farm determined by multiplying the actual average production per acre for the farm by the factored farm allotment (farm allotment times the national factor). This method of determining the amount of payment would apply to any planted acreage above 81.4 acres and within the 100-acre farm allotment.

Transfers of extra-long-staple cotton farm allotments within the State could be authorized by the Secretary beginning with the 1968 crop. Such transfers could be by sale, lease, or by owner subject to terms and conditions prescribed by regulations of the Secretary.

A quantity of American-grown extra-long-staple cotton equal to the shortfall of such cotton (quantity by which domestic consumption and exports exceed production) would be available for purchase from CCC at current market prices until the carryover of American grown extra-long-staple cotton is reduced to the point that the national marketing quota exceeds the statutory minimum. Thereafter, no sales of CCC stocks could be made at less than 115 percent of the

loan rate for extra-long-staple cotton. These respective price levels for CCC sales of extra-long-staple cotton would be applicable to sales of stockpile extra-long-staple cotton under the act of July 25, 1962 (76 Stat. 218).

Effective August 1, 1968, the provisions of section 3 of Public Law 88-638 relating to CCC export sales of extra-long-staple cotton would be repealed. Such repeal would include the repeal of the provision thereof which requires exclusion of Public Law 480 exports in determining extra-long-staple cotton national marketing quotas. In other words, such exports would be counted beginning with the 1969 quota determination.

BACKGROUND

Extra-long staple cotton, which in the United States is grown mainly in west Texas (El Paso area), New Mexico, and Arizona, has had acreage allotment and price support programs in effect continuously since 1954. These programs are carried out independently of the upland cotton programs. With few exceptions farms which have extra-long-staple allotments also have upland allotments.

During the Korean and past wars extra-long-staple cotton was a strategic fiber needed for parachutes, sewing thread, etc. In recent years manmade fibers have largely supplanted extra-long-staple cotton insofar as military needs for such items are concerned. However, extra-long-staple cotton is now used in blends with manmade fibers for certain military apparel such as jackets and raincoats.

Over the years USDA and the Congress have dealt sympathetically with the extra-long-staple cotton producers for various reasons, some of which are (1) the Supima Association has carried out an aggressive promotional campaign with assessments of \$3 per bale paid in by producer members and (2) the association several years ago requested and obtained legislation reducing the price support percentage of parity level substantially below that for upland cotton in order to price their cotton more competitively.

Extra-long-staple cotton produced in the United States competes directly with similar cotton imported from Peru, Egypt, and the Sudan. An import quota under section 22 limits imports to about 82,480 bales each marketing year. In 1965 extra-long-staple production in the United States was exactly equal to the volume of imports; in 1966 production was somewhat lower than the import quota; and for 1967 production is expected to be about 15 percent lower than the import quota.

Under a law passed in 1964 CCC has been selling some extra-long-staple cotton for export at about 10 cents per pound less than U.S. market prices. Most exports have been financed under title I of Public Law 480.

The loan rate for the 1966 crop (49.25 cents) and the 1967 crop (47 cents) causes unrealistically high market prices for the qualities of extra-long-staple cotton which compete with the longer staple lengths of upland cotton. In other words, the low loan levels authorized by the 1965 act for upland cotton have removed the desirable price relationship which previously existed in the United States between upland and extra-long-staple cotton.

It is the purpose of these amendments to correct the existing imbalance in price as between upland and extra-long-staple cotton.

EXTRA-LONG-STAPLE COTTON: ACREAGE ALLOTMENTS, 1958-68

State	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968
Arizona.....	35,050	29,908	27,326	26,831	42,433	63,739	48,342	33,595	35,315	30,591	30,610
California....	603	425	424	420	670	1,005	746	509	546	472	474
Florida.....	1,020	635	554	491	705	950	536	297	264	198	181
Georgia.....	124	116	132	112	157	217	159	113	117	98	97
New Mexico..	16,194	14,003	12,478	12,455	19,681	29,725	22,405	15,627	16,402	14,249	14,264
Texas.....	27,829	24,196	22,243	21,893	34,455	51,600	39,133	27,304	28,679	24,846	24,851
Puerto Rico..	2,466	1,539	1,619	1,538	2,192	2,644	1,179	313	77	46	23
Total.....	83,286	70,822	64,776	63,740	100,293	149,880	112,500	77,758	81,400	70,500	70,500

LONG STAPLE (OTHER THAN UPLAND) COTTON: SUPPLY AND DISTRIBUTION, UNITED STATES, 1950 TO DATE ¹[In thousands of bales] ²

Year beginning Aug. 1	Supply				Distribution		
	Carryover beginning of season	Production	Imports	Total	Consumption	Exports	Total
1950.....	65.0	62.2	121.2	248.4	3 152.4	(4)	152.4
1951.....	82.4	46.0	46.1	174.5	3 79.5	(4)	79.5
1952.....	48.3	93.5	132.5	274.3	3 103.1	(4)	103.1
1953.....	93.7	64.5	92.1	250.3	100.7	(4)	100.7
1954.....	158.4	40.9	98.4	297.7	111.6	0.4	112.0
1955.....	176.9	41.5	85.9	304.3	3 124.9	20.3	145.2
1956.....	129.8	49.1	93.1	272.0	3 112.2	57.9	170.1
1957.....	53.3	79.7	44.6	177.6	3 99.4	9.7	109.1
1958.....	121.7	81.9	85.5	289.1	3 109.1	23.5	132.6
1959.....	152.3	69.1	83.2	304.6	137.3	4.2	141.5
1960.....	154.4	66.0	85.7	306.1	3 148.1	7.4	155.4
1961.....	138.3	61.0	84.2	283.6	3 170.6	7.1	177.7
1962.....	5 90.4	109.8	82.1	282.3	3 160.6	2.7	163.3
1963.....	5 199.6	161.2	80.4	441.2	3 140.7	1.6	142.3
1964.....	5 253.2	116.7	82.7	452.6	152.3	21.2	173.5
1965.....	5 259.3	85.6	87.6	432.5	140.9	5.7	146.6
1966.....	5 288.5	71.2	76.7	436.4	134.9	12.9	147.8
1967 ⁶	5 253.8	67.0	7 85.6	406.4	-----	-----	-----

¹ Includes American-Egyptian, Sea Island, and foreign-grown cotton. In some years prior to 1963, small amounts of foreign long-staple upland cotton are included.

² American-Egyptian and Sea Island in running bales, foreign in bales of 500 pounds.

³ Adjusted to a cotton marketing year basis Aug. 1-July 31.

⁴ Less than 50 bales.

⁵ Foreign stockpile cotton included by the Bureau of the Census as of Aug. 1 was 7,168 bales in 1962, 61,168 bales in 1963, 27,474 bales in 1964, 18,307 bales in 1965, 12,500 bales in 1966, and 834 bales in 1967. In bond cotton is not included; 116,609 bales as of Aug. 1 in 1963, 60,297 in 1964, 38,022 in 1965, and 33,284 in 1966.

⁶ Preliminary and estimated.

⁷ Import quota.

SUMMARY OF COMMITTEE AMENDMENT

To dispose of surplus stocks accumulated in recent years and to increase domestic consumption of extra-long-staple cotton, the committee amendment would change existing law as follows:

(1) Reduce the loan level to about 35 to 40 cents per pound and make payments to producers (about 9 to 14 cents per pound) on cotton produced. The total price support thus provided for any crop would be not less than 65 percent of parity. Based on November 1967 parity of 74.9 cents, 65 percent of parity would be 48.7 cents per pound. With a market price at about the loan level a one-price system would be in effect for extra-long-staple cotton; that is, cotton would be available for domestic consumption or export at the same price. CCC sales for export at reduced prices would be discontinued.

(2) The national marketing quota for any year would be no smaller than the import quota now in effect for extra-long-staple cotton

stapling $1\frac{3}{8}$ inches and longer (about 82,480 standard bales). In order to dispose of surplus stocks the national marketing quota would not be established above the minimum level unless (a) carryover stocks of U.S. grown extra-long-staple cotton were reduced to 50 percent or less of estimated domestic consumption and exports of such cotton and (b) the formula under section 347(b) of the act resulted in a marketing quota above the minimum level.

(3) At lower market prices consumption of extra-long-staple cotton would probably increase and eventually the marketing quota would be established at a level higher than the import quota. However, this development would not increase the outlay for payments described in item 1 since the bill limits size of the acreage on which payments will be made to the 1966 national allotment (81,400 acres).

(4) The national allotment for 1968 is 70,500 acres. The minimum allotment provision described in item 2 would cause the 1968 allotment to be increased to 77,300 acres on the basis of the current national yield.

(5) A quantity of American grown extra-long-staple equal to the shortfall of such cotton (excess of domestic consumption and exports over production) would be made available for sale by CCC at current market prices.

(6) Farm allotments could be transferred from farm to farm within the State under regulations prescribed by the Secretary.

SECTION-BY-SECTION ANALYSIS OF COMMITTEE AMENDMENT

Section 4: This section would amend section 347(b) of the Agricultural Adjustment Act of 1938, as amended, to provide a mandatory national marketing quota for extra-long-staple cotton for 1969 and each succeeding year and would provide for increase of the 1968 national acreage allotment to 77,300 acres to be allocated to States, counties, and farms on a pro rata basis.

Paragraph 1 of section 347(b) would provide that the national marketing quota be a quantity of the cotton described in section 347(a) equal to the estimated domestic consumption plus exports for the marketing year which begins in the year for which the quota is proclaimed, less the estimated imports, plus such adjustment which the Secretary determines is necessary to assure adequate working stocks in trade channels until extra-long-staple cotton from the next crop becomes readily available without resort to CCC stocks. This formula is the same as the provision of present law. The Secretary may reduce the quota so determined for the purpose of reducing surplus stocks but not below the minimum prescribed under paragraph 2 of section 347(b).

Paragraph 2 of section 347(b) prescribes a minimum quota of not less than the import quota in effect on August 1, 1967, for extra-long-staple cotton having a length of $1\frac{3}{8}$ inches or more established under section 22 of the Agricultural Adjustment Act (of 1933), as amended. Such import quota is 39,590,778 pounds or approximately 82,480 standard bales of 500 pounds gross weight. (See Presidential Proclamation 3251, published in the Federal Register of July 10, 1958, 23 F.R. 5233; 3 CFR, p. 161 of 1954-58 compilation.)

Paragraph 3 of section 347(b) would require that the minimum quota be the quota (thereby precluding any larger quota which might be calculated under the formula in paragraph 1 of sec. 347(b)) for the

1969 and each succeeding crop for which the Secretary estimates carry-over of American grown extra-long-staple cotton at the beginning of the marketing year which begins in the year for which the quota is proclaimed (excluding stockpile extra-long-staple cotton) will be more than 50 percent of the estimated domestic consumption and exports of American grown extra-long-staple cotton for such marketing year. This requirement that the minimum quota be a ceiling would not apply for any year for which the carryover of American grown extra-long-staple cotton so estimated is an amount equal to 50 percent or less of the estimated domestic consumption and exports of American grown extra-long-staple cotton for such marketing year. For succeeding years, this paragraph 3 would no longer be operative and the quota would be determined under the formula in paragraph 1 subject to the minimum in paragraph 2 of section 347(b).

Paragraph 4 of section 347(b) would provide that the provisions of paragraphs 1, 2, and 3 of section 347(b) apply to the 1969 and succeeding crops of extra-long-staple cotton.

Paragraph 5 of section 347(b) would provide for adjustment of the 1968 national marketing quota so as to result in a 1968 national acreage allotment of 77,300 acres. The 1968 national acreage allotment established under present law was 70,500 acres (sec. 722.559, 32 F.R. 14306, Oct. 17, 1967). The new statutory allotment for 1968 was derived by dividing the applicable import quota of 39,590,778 pounds by the national average yield of 512 pounds per acre of extra-long-staple cotton for the 1963-66 4-year base period and rounding the resulting 77,325 acres.

Section 3: This section would amend section 101(f) of the Agricultural Act of 1949, as amended, by deleting the provisions establishing a loan level for extra-long-staple cotton which shall not exceed the same percent of the parity price as for the 1956 crop (75 percent), but not less than 60 percent of the parity price. In lieu thereof, language would be added to require price support for the 1968 and succeeding crops of extra-long-staple cotton through loans at a level which is not less than 50 percent or more than 100 percent in excess of the loan level established for Middling 1-inch upland cotton of such crop at average location in the United States (but in no event less than 35 cents per pound). In addition, price-support payments would be required to be made at a rate which, together with the loan level for the crop, would provide a level of price support through loans and payments not less than 65 percent of the parity price for extra-long-staple cotton as of the month in which the payment rate is announced. Notwithstanding such requirement as to the level of combined price support, payments would be made on the actual production of extra-long-staple cotton for a farm on which the acreage planted to extra-long-staple cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, or in the case of a farm on which the acreage planted to extra-long-staple cotton exceeds the acreage so factored but does not exceed the farm acreage allotment, payments would be made on the actual production attributable to the factored acreage. The Secretary would establish such factor by dividing the 1966 national acreage allotment (81,400 acres) by the national acreage allotment proclaimed for the crop except that the factor could not be more than one. It would be the intent to make such payments at the end of har-

vest on each farm on the basis of satisfactory proof of actual production of all extra-long-staple cotton on the farm furnished by the producer.

The Secretary would provide for the sharing of such payments among producers on the basis of their shares in the crop. Payments could be assigned in accordance with subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended. CCC would be authorized to utilize its capital funds and other assets in making such payments and in paying necessary administrative expenses.

Section 6: This section would amend section 347 of the Agricultural Adjustment Act of 1938, as amended, by adding new subsections (f) and (g).

Subsection (f) would authorize the Secretary, beginning with the 1968 crop of extra-long-staple cotton, to permit transfers of extra-long-staple cotton allotments within the same State if he determines that it will not impair the effective operation of the program. Such transfers could be by sale, lease or by owner. The Secretary could prescribe such terms and conditions as he deemed necessary.

Subsection (g) would require the reduction of the soil conserving base established for 1968 and subsequent crops if the extra-long-staple cotton allotment for a farm is greater than such allotment for the preceding crop as a result of transfers under subsection (f), or for any other reason. This would reduce the diversion requirements on certain farms under the upland cotton program.

Section 7: This section would amend section 407 of the Agricultural Act of 1949, as amended, to provide that, effective August 1, 1968, CCC shall make available for sale for unrestricted use at current market prices a quantity of American grown extra-long-staple cotton equal to the shortfall between production of such cotton and the estimated requirements of such American-grown cotton for domestic use and for export for the marketing year which begins in the year for which the quota is proclaimed. Beginning with the marketing year for which the national marketing quota for extra-long-staple cotton is established under section 347(b)(1) and not under section 347(b)(3) of the Agricultural Adjustment Act of 1938, as amended, CCC sales of extra-long-staple cotton would not be made under the foregoing provision but would be made at not less than 115 percent of the applicable loan rate under section 101(f) of the Agricultural Act of 1949, as amended.

Section 8: This section would repeal section 3 of Public Law 88-638 (78 Stat. 1038) effective August 1, 1968.

The statute to be repealed provides for CCC export sales of extra-long-staple cotton which is in surplus supply at competitive world prices. It also would repeal the provision thereof which requires exclusion of such exports in determining extra-long-staple cotton marketing quotas under section 347(b) of the Agricultural Adjustment Act of 1938, as amended.

COMMITTEE DELIBERATIONS

At the request of Senator Hayden the Committee on Agriculture and Forestry obtained a report from the Department of Agriculture on a proposed measure relating to extra-long staple cotton. Subsequently on December 6, 1967, at its regular meeting, the committee

discussed and approved the measure unanimously subject to obtaining additional information from the Department. This information, which was received by letter dated December 8, 1967, satisfied the questions which had been raised.

DEPARTMENTAL VIEWS

The report of the Department of Agriculture on this bill and the two letters referred to in the preceding paragraph which relate to the committee amendment are attached. The committee amendment differs from the bill described in the letter of August 18 only in minor respects, the changes having been made at the suggestion of the Department (principally necessitated by the lapse of time since August 18) or as described in the Department's letter of December 8.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., November 1, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR CHAIRMAN: This is in reply to your request for a report on H.R. 10864, a bill to provide that the Secretary of Agriculture shall convey certain lands in Saline County, Ark., to the Dierks Forests, Inc.

Because of the special circumstances in this case, we would have no objection to enactment of this bill.

H.R. 10864 would authorize the Secretary of Agriculture to convey by quitclaim deed, without consideration, to Dierks Forests, Inc., 5.28 acres, more or less, of land in Saline County, Ark., described in the bill. This conveyance would be made upon condition that Dierks Forests, Inc., shall execute and record a reconveyance to the United States of a tract of land patented by the United States to Dierks on January 7, 1959. The bill would provide that the reconveyed tract would be held and treated as if it had not been patented.

The bill would in effect amend the land exchange consummated in 1959 wherein the Dierks Forests, Inc., offered certain of their lands in exchange for lands of the United States administered by the Forest Service. The exchange was under authority of the act of March 20, 1922 (42 Stat. 465, as amended, 16 U.S.C. 485, 486).

In consummating the 1959 exchange, the United States issued patent No. 1,190,250 to Dierks Forests, Inc. Included in the patent was a 40-acre tract described as SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, 5th principal meridian. Shortly after issuance of patent it was discovered that this 40-acre tract was being claimed by third parties based on a chain of title beginning with a General Land Office entry dated December 30, 1854. Apparently the original claim developed when a December 30, 1854, entry for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 10 south, range 16 west, 5th principal meridian, was erroneously posted in the General Land Office tract book as being for SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west. Following this entry there was a successive chain of deeds for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, down to the present claimants, notwithstanding the fact that the patent to the entry which was

issued on July 1, 1857, described the land correctly and the entry was correctly posted in the then General Land Office on March 15, 1894.

Third party claimants of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 22, township 1 south, range 17 west, have paid taxes over the many years, both before and since this area was included in the Ouachita National Forest by Presidential proclamation of October 12, 1936. They have partially fenced the area, cut some timber on it, cut hay on it, and otherwise exercised possession over the years. Had these facts been ascertained at the time this forty was included in the exchange, it would have been excluded.

In any event, the facts now disclosed indicate that the third party claimants might have sought a patent under the Color of Title Act (45 Stat. 1069, as amended, 43 U.S.C. 1068-1068b) if it had not been for the exchange patent.

However, since patent No. 1,190,250 was issued in accordance with the procedures of the Bureau of Land Management, the Government has no present jurisdiction over the 40 acres in question.

On the other hand, it appears that Dierks Forests, Inc., has received little or nothing as to this 40. The deeding of the 5.28 acres, more or less, as described in this bill would in effect equitably amend the original exchange. The 5.28 acres is part of a tract consisting of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{2}$ section 1, township 1 north, range 18 west, and containing 20 acres. Of this total, 14.72 acres were quitclaimed in 1953 to Dierks Forests, Inc., by the United States in settlement of a title problem. Conveyance of the remaining 5.28-acre portion under H.R. 10864 would give Dierks Forests, Inc., ownership of the entire 20 acres.

To complete the adjustment and do equity to all parties concerned, we believe that Dierks Forests, Inc., should reconvey the 40-acre tract to the United States. Once reconveyed, the 40-acre tract would resume the same status as it had prior to the conveyance to Dierks Forests, Inc. The third party claimants could then seek patent under the Color of Title Act as if the exchange patent had never been issued. The bill would provide the necessary authority to accomplish this.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 18, 1967.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request for a report on a draft bill pertaining to extra-long-staple cotton.

The bill has considerable merit, and this Department would not object to its passage.

The bill would provide legislation for extra-long-staple cotton which would be similar in many respects to the legislation currently in effect for upland cotton.

Major modifications that the proposed provisions would make in the program now in effect for extra-long-staple cotton are as follows:

1. The minimum national marketing quota would not be less than the import quota for extra-long-staple cotton. (It should be noted that the import quota for extra-long-staple cotton remains subject to any change which might be authorized under sec. 22 of the Agricultural Adjustment Act (of 1933).)

2. The price support loan level for extra-long-staple cotton would be based on the loan level for Middling 1-inch upland cotton (from 1.5 to 2 times the upland level). The loan level, plus additional price-support payment, would provide total price support of not less than 65 percent of parity.

3. Certain provisions relating to the sale of extra-long-staple cotton by CCC would be changed.

4. Farm allotments for extra-long-staple cotton could be transferred from farm to farm within a State.

The proposed bill would authorize direct payments beginning with the 1967 crop of extra-long-staple cotton and would require mandatory national marketing quotas beginning with the 1968 crop of cotton with a minimum quota not less than the amount of the import quota for extra-long-staple cotton having a length of $1\frac{3}{8}$ inches or more under section 22 of the Agricultural Adjustment Act (of 1933), as amended. The import quota presently established is 39,590,778 pounds or approximately 82,500 standard bales (500 pounds gross weight).

Price support would consist of loans and payments. The bill would provide a loan level at from 150 to 200 percent of the loan level for upland cotton, as set by the Secretary. With the 1967 upland rate at 20.25 cents, the 1967 extra-long-staple cotton loan rate could range between 30.4 cents and 40.5 cents. A payment would be made to producers at a rate which, when added to the loan rate, would provide a total price support at not less than 65 percent of the parity price for extra-long-staple cotton. If, for example, the loan rate for 1967 crop extra-long-staple cotton were 40 cents, the payment rate would be 8.2 cents (based on parity price of 74.1 cents). Price support payments would be made to producers on the quantity of extra-long-staple cotton actually produced on an acreage planted on the farm within the farm allotment. However, for any crop for which the national acreage allotment is larger than the 1966 national allotment of 81,400 acres, a national factor would be obtained by dividing 81,400 by such national allotment. Each farm allotment would then be multiplied by the factor, and the production from the acreage thus obtained would be the maximum quantity on which payment could be made. For example, if the 1970 national allotment were 100,000 acres, the factor would be 0.814. A producer with a farm allotment of 100 acres could plant 81.4 acres and receive the price support payment on the entire production of extra-long-staple cotton on the farm. If he elected to plant 90 acres instead of 81.4 acres, he would receive the price support payment on a quantity of extra-long-staple cotton produced on the farm determined by multiplying the actual average production per acre for the farm by the factored farm allotment (farm allotment times the national factor). This method of determining the amount of payment would apply to any planted acreage above 81.4 acres and within the 100-acre farm allotment.

Transfers of extra-long-staple cotton farm allotments within the State could be authorized by the Secretary beginning with the 1968 crop. Such transfers could be by sale, lease, or by owner subject to terms and conditions prescribed by regulations of the Secretary.

We have several suggestions in the language of the proposed legislation that have been incorporated in the enclosed draft. Except as discussed below these suggestions involve only minor changes to clarify the language of several provisions. On page 6 of the revised draft you will note that we have modified the proviso dealing with minimum prices at which CCC would sell extra-long-staple cotton. With this modification, a quantity of American-grown extra-long-staple cotton equal to the shortfall of such cotton (quantity by which domestic consumption and exports exceed production) would be made available for sale by CCC at market prices at the time of sale until the carryover of American-grown extra-long-staple cotton is reduced to the point that the national marketing quota exceeds the statutory minimum. Thereafter, no sales of CCC stocks could be made at less than 115 percent of the loan rate for extra-long-staple cotton. These respective price levels for CCC sales of extra-long-staple cotton would be applicable to sales of stockpile extra-long-staple cotton under the act of July 25, 1962 (76 Stat. 218). On page 1 of the bill, we have deleted from the proviso the language "by not more than 10 per centum." With this change, the Secretary would have more flexibility to adjust surplus stocks, but the marketing quota could not be reduced below the minimum specified in the bill.

The bill will eliminate the need for a special export program for extra-long-staple cotton. Effective August 1, 1967, or 30 days after enactment of the bill, whichever is later, the provisions of section 3 of Public Law 88-638 relating to CCC export sales of extra-long staple cotton would be repealed. Such repeal would include the repeal of the provision thereof which requires exclusion of exports under section 3 of Public Law 88-638 in determining extra-long-staple cotton national marketing quotas. In other words, such exports would be counted beginning with the 1968 quota determination.

This bill, if enacted, would strengthen and stabilize the domestic extra-long-staple cotton industry. With this legislation, domestically produced extra-long-staple cotton will be able to more effectively meet competition from the longer staple upland cotton, foreign-produced extra-long-staple cotton, and manmade fibers.

It is estimated that net expenditures under the proposed bill will range from about \$2.5 to \$12 million per year depending on the loan level and the rate of disposal of CCC's stocks. After CCC has disposed of its stocks, expenditures would range from about \$10 to \$12 million. Of these expenditures payments to producers would represent about \$3 to \$6 million. Expenditures under current legislation are running about \$7.5 million per year.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTKER, *Acting Secretary.*

U.S. DEPARTMENT OF AGRICULTURE,
 AGRICULTURAL STABILIZATION
 AND CONSERVATION SERVICE,
Washington, D.C., December 8, 1967.

Hon. B. EVERETT JORDAN,
U.S. Senate.

DEAR SENATOR JORDAN: In response to your request of December 7 there are set out below our views and estimates on questions you presented in connection with extra-long-staple cotton.

S. 2722 provides that the price-support loan level for extra-long-staple cotton shall be from 1.5 to 2 times the loan rate for upland cotton, as determined by the Secretary of Agriculture. You asked whether this Department would object if the bill were amended to provide that the loan level for any year could not be less than 35 cents. We have had discussions of the proposed legislation with various persons in and outside the Government, and we have reason to believe that, if S. 2722 is enacted, the Secretary would set the 1968 crop loan level at 38 to 40 cents if the parity price for extra-long-staple cotton remains at about the current level. Therefore, setting the legal minimum level at 35 cents would not interfere with our views at this time on the bill and the 1968 program. If the 35-cent minimum level became unrealistic for 1969 or thereafter the law could, of course, be changed.

You also requested our views on program expenditures for extra-long-staple cotton if the allotment price-support program now in effect (including disposal operations under Public Law 480) is continued. Under these assumptions during the next few years we would expect yields per acre to increase and domestic consumption to decline—due mainly to the unfavorable relationship between the loan level for ELS cotton and that for upland cotton. We estimate that CCC acquisitions of cotton through the loan program would increase by 30,000 to 35,000 bales per year at a cost of about \$235 per bale. Thus, net fiscal year expenditures would increase to about \$14 to \$16 million. The sharp increase in expenditures from current levels (about \$7.5 million) is due primarily to the increased quantity of cotton which will be acquired by CCC (about \$7 to \$8 million per year) if the current program is continued.

In addition, you asked for our views on what expenditures with respect to the 1968 and subsequent crops would be if S. 2722 were enacted and the price support loan level were set at 40 cents. We estimate that net expenditures under such a program would be about \$2.5 million per year while CCC is disposing of its present stocks and after such stocks have been disposed of would be about \$10.4 million per year.

Sincerely yours,

H. D. GODFREY, *Administrator.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in *roman*):

THE AGRICULTURAL ADJUSTMENT ACT OF 1938

LONG STAPLE COTTON

SEC. 347. (a) Except as otherwise provided by this section, the provisions of this part shall not apply to extra long staple cotton which is produced from pure strain varieties of the Barbadosense species, or any hybrid thereof, or other similar types of extra-long staple cotton designated by the Secretary having characteristics needed for various end uses for which American upland cotton is not suitable, and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of such varieties or types.

(b) [Whenever during any calendar year, not later than October 15, the Secretary determines that the total supply of cotton described in subsection (a) for the marketing year beginning in such calendar year will exceed the normal supply thereof for such marketing year by more than 8 per centum, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of such cotton produced in the next calendar year. The Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the quantity of cotton described in subsection (a) adequate to make available a normal supply of cotton, taking into account (1) the estimated carry-over at the beginning of the marketing year which begins in the next calendar year, and (2) the estimated imports during such marketing year: *Provided*, That beginning with the 1961 crop of extra long staple cotton, such national marketing quota shall be an amount] (1) *The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to [(1)] the estimated domestic consumption plus exports for the marketing year which begins in [the next] such succeeding calendar year, less [(2) the] estimated imports, plus [(3)] such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: *Provided*, That the Secretary may reduce for the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection. [The national marketing quota for cotton described in subsection (a) for any year shall not be less than the larger of thirty thousand bales or a number of bales equal to 30 per centum of the estimated domestic consumption plus exports of such cotton for the marketing year beginning in the calendar year in which such quota is proclaimed: *Provided*, however, That the national marketing quota for 1960 and 1961 crops of such cotton shall be not less than 90 per centum of the 1959 marketing quota for such cotton.]*

(2) *The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths inches or more) in pounds converted to standard bales of five hundred*

pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American-grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American-grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American-grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section.

(5) The Secretary shall adjust the national marketing quota for the 1968 crop of cotton described in subsection (a) so that such quota shall be not less than the number of bales required to provide a national acreage allotment for such crop of 77,300 acres. The Secretary shall allocate the the additional acreage under this paragraph to States, counties, and farms on a pro rata basis.

(c) All provisions of this Act, except section 342, subsection (h), (k), and (l) of section 344, the parenthetical provisions relating to acreages regarded as having been planted to cotton, and the provisions relating to minimum small farm allotments, shall, insofar as applicable, apply to marketing quotas and acreage allotments authorized by this section: *Provided*, That the applicable penalty rate for such cotton under section 346 shall be the higher of 50 per centum of the parity price or 50 per centum of the support price for extra long staple cotton as of the date specified therein.

(d) Unless marketing quotas are in effect under subsection (b) of this section, the penalty provisions of section 346 shall not apply to any cotton the staple of which is one and one-half inches or more in length.

(e) The exemptions authorized by subsections (a) and (d) of this section shall not apply unless (1) the cotton is ginned on a roller-type gin or (2) the Secretary authorizes the cotton to be ginned on another type gin for experimental purposes or to prevent loss of the cotton due to frost or other adverse condition.

(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State.

The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil-conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year.

AGRICULTURAL ACT OF 1949

SEC. 101. * * *

*(f) The provisions of this Act relating to price support for cotton shall apply severally to (1) American upland cotton and (2) extra long staple cotton described in subsection (a) and ginned as required by subsection (e) of section 347 of the Agricultural Adjustment Act of 1938, as amended, except that, notwithstanding any of the foregoing provisions of section 101 of this Act, the level of support to cooperators for the 1957 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, shall not exceed the same per centum of the parity price as for the 1956 crop and shall be determined after consideration of the factors specified in section 401(b) and the price levels for similar qualities of cotton produced outside the United States: *Provided*, That such level of price support shall be not less than 60 per centum of the parity price.] notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than thirty-five cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum nor more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this sub-*

section among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection. Disapproval by producers of the quota proclaimed under such section 347 shall place into effect the provisions of section 101(d)(3) of this Act with respect to the extra long staple cotton described in subsection (a) of such section 347. Nothing contained herein shall affect the authority of the Secretary under section 402 to make support available for extra long staple cotton in accordance with such section 402.

* * * * *

SEC. 407. The Commodity Credit Corporation may sell any farm commodity owned or controlled by it at any price not prohibited by this section. In determining sales policies for basic agricultural commodities or storable nonbasic commodities, the Corporation should give consideration to the establishing of such policies with respect to prices, terms, and conditions as it determines will not discourage or deter manufacturers, processors, and dealers from acquiring and carrying normal inventories of the commodity of the current crop. The Corporation shall not sell any basic agricultural commodity or storable nonbasic commodity at less than 5 per centum above the current support price for such commodity, plus reasonable carrying charges: *Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 per centum above the current support price for cotton plus reasonable carrying charges, except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell, for unrestricted use at the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended: *Provided further*, That beginning August 1, 1964, the Commodity Credit Corporation may sell upland cotton for unrestricted use at not less than 105 per centum of the current loan rate for such cotton under section 103(a) plus reasonable carrying charges: *Provided further*,¹ That if a wheat marketing allocation program is in effect, the current support price for wheat shall be the support price for wheat not accompanied by marketing certificates: *Provided*, That whenever the Secretary of Agriculture determines that the carryover at the end of any marketing year of a price supported agricultural commodity for which a voluntary adjustment program is in effect will be less than 25 per centum (35 per centum in the case of wheat) of the estimated export

¹ This proviso was substituted for the previous proviso by Pub. L. 88-297, 78 Stat. 183, approved April 11, 1964, and was effective only with respect to the marketing years beginning in the calendar years 1964 and 1965. The proviso was made effective for the marketing years beginning in the calendar years 1964 through 1969 by the Food and Agriculture Act of 1965, Pub. L. 89-321, 79 Stat. 1203, approved November 3, 1965. The previous proviso which was added by the Food and Agriculture Act of 1962, 76 Stat. 631 and which provided as follows: "*Provided*, That if a wheat marketing allocation program is in effect, the current support price for wheat shall be the support price for wheat accompanied by marketing certificate and wheat sold shall be accompanied by a marketing certificate." will again become effective for the marketing year beginning in the calendar year 1970.

and domestic consumption of such commodity during such marketing year, the Commodity Credit Corporation shall not sell any of its stocks of such commodity during such year for unrestricted use at less than 115 per centum (120 per centum in the case of wheat whenever its carryover will be less than 25 per centum of such estimated export and domestic consumption) of the current price support loan plus reasonable carrying charges. The foregoing restrictions shall not apply to (A) sales for new or byproduct uses; (B) sales of peanuts and oilseeds for the extraction of oil; (C) sales for seed or feed if such sales will not substantially impair any price-support program; (D) sales of commodities which have substantially deteriorated in quality or as to which there is a danger of loss or waste through deterioration or spoilage; (E) sales for the purpose of establishing claims arising out of contract or against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity; (F) sales for export; (G) sales of wool; and (H) sales for other than primary uses. Notwithstanding the foregoing, the Corporation, on such terms and conditions as the Secretary may deem in the public interest, shall make available any farm commodity or product thereof owned or controlled by it for use in relieving distress (1) in any area in the United States including the Virgin Islands declared by the President to be an acute distress area because of unemployment or other economic cause if the President finds that such use will not displace or interfere with normal marketing of agricultural commodities and (2) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875, Eighty-first Congress, as amended (42 U.S.C. 1855) and shall make feed owned or controlled by it available at any price not less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate) for assistance in the preservation and maintenance of foundation herds of cattle (including producing dairy cattle), sheep, and goats, and their offspring, in any area of the United States including the Virgin Islands where, because of flood, drought, fire, hurricane, earthquake, storm, disease, insect infestation, or other catastrophe in such areas, the Secretary determines that an emergency exists which warrants such assistance, such feed to be made available only to persons who do not have, and are unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for such livestock: *Provided*, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above. Except on a reimbursable basis, the Corporation shall not bear any costs in connection with making such commodity available beyond the cost of the commodities to the Corporation in store and the handling and transportation costs in making delivery of the commodity to designated agencies at one or more central locations in each State or other area. Nor shall the foregoing restrictions apply to sales of commodities the disposition of which is desirable in

the interest of the effective and efficient conduct of the Corporation's operations because of the small quantities involved, or because of age, location or questionable continued storability, but such sales shall be offset by such purchases of commodities as the Corporation determines are necessary to prevent such sales from substantially impairing any price-support program, but in no event shall the purchase price exceed the then current support price for such commodities. For the purposes of this section, sales for export shall not only include sales made on condition that the identical commodities sold be exported, but shall also include sales made on condition that commodities of the same kind and of comparable value or quantity be exported, either in raw or processed form. Notwithstanding the foregoing, whenever prior to December 31, 1963, the Secretary determines it necessary in order to assure the Nation an adequate supply of milk free of contamination by radioactive fallout, he may make feed owned or controlled by the Commodity Credit Corporation available to producers of milk in any area or areas of the United States at such prices and on such terms and conditions as he deems appropriate in the public interest. Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1970, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate, and (2) the Commodity Credit Corporation shall sell or make available for unrestricted use at current market prices in each marketing year a quantity of upland cotton equal to the amount by which the production of upland cotton is less than the estimated requirements for domestic use and for export for such marketing year. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of part (2) of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly. *Notwithstanding any other provision of this section, effective October 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American-grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American-grown extra long staple cotton for domestic use and for export for such marketing year: Provided, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.*

* * * * *

【SEC. 3. Notwithstanding any other provision of law, the Commodity Credit Corporation, in order to encourage exports of extra long staple cotton which is in surplus supply at competitive world prices, is directed to offer for sale, whenever extra long staple cotton is in surplus supply, any extra long staple cotton owned by it (except stocks released from the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) at prices not in excess of the prices at which cotton of comparable quality is being offered by other exporting countries, on condition that such cotton be exported or that an equal quantity of extra long staple cotton will be exported within the period specified by the Secretary of Agriculture. The Commodity Credit Corporation may accept bids in excess of the maximum prices specified herein but shall not reject bids at such maximum prices unless a higher bid is received for the same cotton. The Secretary of Agriculture shall make a determination of the amount, if any, of extra long staple cotton which is in surplus supply for the 1964-65 marketing year not later than thirty days after the effective date of this section and for each succeeding marketing year not later than thirty days prior to the beginning of each such marketing year. Extra long staple cotton shall be deemed to be in surplus supply whenever the Secretary of Agriculture determines that the total supply of such cotton (under the formula for determining the "Total supply" of cotton specified in Section 301(b)(16)(C) of the Agricultural Adjustment Act of 1938, as amended, but not including cotton released from such stockpile) is in excess of estimated domestic consumption and estimated exports of such cotton excluding estimated exports made under the authority of this section, plus an allowance for carryover equal to fifty per centum of such estimated consumption and exports. Exports hereunder shall be excluded in making any determination with respect to national marketing quotas under the Agricultural Adjustment Act of 1938, as amended. Nothing herein shall preclude the Corporation from accepting bids which may be made at higher than world prices.】

○

Calendar No. 893

90TH CONGRESS
1ST SESSION

H. R. 10864

[Report No. 909]

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1967

Read twice and referred to the Committee on Agriculture and Forestry

DECEMBER 8, 1967

Reported by Mr. JORDAN of North Carolina, with an amendment

[Insert the part printed in italic]

AN ACT

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized to convey by
4 quitclaim deed to Dierks Forests, Incorporated, all of the
5 right, title, and interest of the United States in and to the
6 following described tract of land in the county of Saline,
7 State of Arkansas:

8 Beginning at the northeast corner of the northeast
9 quarter of the northwest quarter of section 1, township
10 1 north, range 18 west, fifth principal meridian;

1 thence west along the north boundary line of the
2 east 20 acres of said northeast quarter of the northwest
3 quarter to the northwest corner thereof;

4 thence south 5.85 chains along the west boundary
5 line of said east 20 acres;

6 thence east 9.53 chains to the east boundary line
7 of said east 20 acres;

8 thence north along the east boundary line of said
9 east 20 acres to the place of beginning, containing 5.28
10 acres, more or less.

11 SEC. 2. The conveyance authorized by section 1 shall
12 be made upon condition that Dierks Forests, Incorporated,
13 shall execute and record a reconveyance to the United States
14 of the following described land patented to Dierks Forests,
15 Incorporated, on January 7, 1959, under patent numbered
16 1190250:

17 The southeast quarter of the southeast quarter of section
18 22, township 1 south, range 17 west, fifth principal meridian.

19 SEC. 3. Upon the reconveyance to the United States of
20 land described in section 2, the tract shall be held and
21 treated as if it had not been patented.

22 *SEC. 4. Section 347(b) of the Agricultural Adjustment*
23 *Act of 1938, as amended, is amended to read as follows:*

24 “(b)(1) *The Secretary shall, not later than October 15*
25 *of each calendar year, proclaim the amount of the national*

1 marketing quota for the crop of cotton described in subsection
2 (a) produced in the next succeeding calendar year in terms
3 of the quantity of such cotton equal to the estimated domestic
4 consumption plus exports for the marketing year which begins
5 in such succeeding calendar year, less the estimated imports,
6 plus such additional number of bales, if any, as the Secre-
7 tary determines is necessary to assure adequate working
8 stocks in trade channels until cotton from the next crop be-
9 comes readily available without resort to Commodity Credit
10 Corporation stocks: Provided, That the Secretary may reduce
11 the national marketing quota so determined for any crop for
12 the purpose of reducing surplus stocks, but not below the mini-
13 mum quota prescribed under paragraph (2) of this sub-
14 section.

15 “(2) The national marketing quota for any crop shall
16 not be less than the amount of the import quota in effect on
17 August 1, 1967, for the year beginning on such date for
18 extra long staple cotton (one and three-eighths inches or more)
19 in pounds converted to standard bales of five hundred pounds
20 gross weight, established pursuant to section 22 of the Agri-
21 cultural Adjustment Act (of 1933), as amended.

22 “(3) Notwithstanding the provisions of paragraph (1)
23 of this subsection, the national marketing quota shall be the
24 minimum quota under paragraph (2) of this subsection

1 for each crop of such cotton for which the Secretary esti-
2 mates that the carryover of American grown extra long staple
3 cotton at the beginning of the marketing year for the crop
4 for which the quota is proclaimed (excluding any such cot-
5 ton in the stockpile established pursuant to the Strategic and
6 Critical Materials Stock Piling Act, as amended) will be
7 more than 50 per centum of the estimated domestic consump-
8 tion and exports of American grown extra long staple cot-
9 ton for such marketing year: Provided, That the foregoing
10 provisions of this sentence shall not apply for any crop for
11 which the carryover so estimated is an amount equal to 50
12 per centum or less of the estimated domestic consumption and
13 exports of American grown extra long staple cotton for the
14 marketing year for such crop, and such provisions shall
15 not apply to any crop following the first crop for which
16 this proviso comes into operation.

17 “(4) The provisions of paragraphs (1), (2), and (3)
18 of this subsection shall apply to the 1969 and each succeed-
19 ing crop of cotton described in subsection (a) of this section.

20 “(5) The Secretary shall adjust the national marketing
21 quota for the 1968 crop of cotton described in subsection
22 (a) so that such quota shall be not less than the number of
23 bales required to provide a national acreage allotment for
24 such crop of seventy-seven thousand three hundred acres.
25 The Secretary shall allocate the additional acreage under

1 *this paragraph to States, counties and farms on a pro rata*
2 *basis.’’*

3 *SEC. 5. Section 101(f) of the Agricultural Act of 1949,*
4 *as amended, is amended by striking out all of the first sen-*
5 *tence following the words “except that”, and substituting in*
6 *lieu therefor the following: “notwithstanding any other pro-*
7 *vision of this Act, price support shall be made available to*
8 *cooperators for the 1968 and each subsequent crop of extra*
9 *long staple cotton, if producers have not disapproved market-*
10 *ing quotas therefor, through loans at a level which is not less*
11 *than 50 per centum or more than 100 per centum in excess*
12 *of the loan level established for Middling one-inch upland*
13 *cotton of such crop at average location in the United States*
14 *(except that such loan level for extra long staple cotton shall*
15 *in no event be less than 35 cents per pound) and, in addition,*
16 *through price-support payments at a rate which, together*
17 *with the loan level established for such crop, shall be not less*
18 *than 65 per centum or more than 90 per centum of the parity*
19 *price for extra long staple cotton as of the month in which the*
20 *payment rate provided for by this subsection is announced.*
21 *Such payment with respect to any farm shall be made on the*
22 *quantity of extra long staple cotton, determined in accord-*
23 *ance with regulations prescribed by the Secretary, equal to*
24 *either (1) for a farm on which the acreage planted to such*

1 cotton does not exceed an acreage determined by multiplying
2 the farm acreage allotment by the price-support payment fac-
3 tor established by the Secretary for each crop, the actual pro-
4 duction of such cotton on the farm, or (2) for a farm on
5 which the acreage planted to such cotton exceeds an acreage
6 determined by multiplying the farm acreage allotment by the
7 price-support payment factor but does not exceed the farm
8 acreage allotment, the actual production of such cotton on the
9 farm attributable to the number of acres determined by multi-
10 plying the farm acreage allotment by such price-support pay-
11 ment factor. The Secretary shall establish the price-support
12 payment factor for each such crop of extra long staple cot-
13 ton by dividing the 1966 national acreage allotment for such
14 cotton by the national acreage allotment proclaimed for such
15 crop, except that such factor shall not be more than one. The
16 Secretary shall provide for the sharing of price-support pay-
17 ments under this subsection among producers on a farm on
18 the basis of their respective shares in the crop of extra long
19 staple cotton produced on the farm, or the proceeds therefrom.
20 The provisions of subsection 8(g) of the Soil Conservation
21 and Domestic Allotment Act, as amended (relating to assign-
22 ment of payments), shall also apply to payments under this
23 subsection. The Commodity Credit Corporation is authorized
24 to utilize its capital funds and other assets for the purpose of
25 making the payments authorized in this subsection and to pay

1 administrative expenses necessary in carrying out this sub-
2 section.”

3 SEC. 6. Section 347 of the Agricultural Adjustment Act
4 of 1938, as amended, is amended by adding the following
5 new subsections at the end thereof to read as follows:

6 “(f) Notwithstanding any other provision of law, begin-
7 ning with the 1968 crop of extra long staple cotton, the Sec-
8 retary, if he determines that it will not impair the effective
9 operation of the program involved, (1) may permit the
10 owner and operator of any farm for which an extra long
11 staple cotton acreage allotment is established to sell or lease
12 all or any part or the right to all or any part of such allot-
13 ment to any other owner or operator of a farm for transfer
14 to such farm; (2) may permit the owner of a farm to transfer
15 all or any part of such allotment to any other farm owned or
16 controlled by him. No allotment shall be transferred under
17 this subsection to a farm in another State or to a person for
18 use in another State. The Secretary shall prescribe regula-
19 tions for the administration of this subsection and may pre-
20 scribe such terms and conditions as he deems necessary.

21 “(g) Notwithstanding any other provision of law, if the
22 extra long staple cotton acreage allotment established for any
23 farm for the 1968 and subsequent crops is greater than such
24 allotment for the preceding crop, because of transfers under
25 subsection (f) of this section or for any other reason, the soil

1 conserving base established for the farm shall be reduced by
2 the same number of acres that the allotment is increased for
3 that year.”

4 SEC. 7. Section 407 of the Agricultural Act of 1949, as
5 amended, is amended by adding at the end thereof the follow-
6 ing: “Notwithstanding any other provision of this section,
7 effective August 1, 1968, the Commodity Credit Corporation
8 shall make available during each marketing year for sale for
9 unrestricted use at market prices at the time of sale, a quan-
10 tity of American grown extra long staple cotton equal to the
11 amount by which the production of such cotton in the calendar
12 year in which such marketing year begins is less than the esti-
13 mated requirements of American grown extra long staple cot-
14 ton for domestic use and for export for such marketing year:
15 Provided, That no sales shall be made at less than 115 per
16 centum of the loan rate for extra long staple cotton under
17 section 101(f) of this Act beginning with the marketing year
18 for the first crop for which the national marketing quota for
19 extra long staple cotton is not established under paragraph
20 (3) of section 347(b) of the Agricultural Adjustment Act
21 of 1938, as amended. The Secretary may make such esti-
22 mates and adjustments therein at such times as he determines
23 will best effectuate the provisions of the foregoing sentence
24 and such quantities of cotton as are required to be sold under

1 *such sentence shall be offered for sale in an orderly manner*
2 *and so as not to affect market prices unduly.”*

3 *SEC. 8. Section 3 of Public Law 88-638 (78 Stat.*
4 *1038) is hereby repealed effective August 1, 1968.*

Passed the House of Representatives November 21,
1967.

Attest:

W. PAT JENNINGS,
Clerk.

[Report No. 909]

AN ACT

To authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1967

Read twice and referred to the Committee on
Agriculture and Forestry

DECEMBER 8, 1967

Reported with an amendment

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued December 12, 1967
For actions of December 11, 1967
90th-1st; No. 202

CONTENTS

Acreage allotments....13,14	Forestry.....4	Price supports.....13,14
Appropriations.....1,39	Grain reserves.....35	RC&D projects.....6
Beef.....22	Housing.....31	Recreation.....6
Census.....27,32	Information.....30	Research.....25
Cooperatives.....20	Lands.....13	Rural poverty.....24
Copper imports.....9	Loans.....11,34	Social security.....5,23
Cotton.....13	Marketing orders.....6,7	Statistics.....30
Disaster relief.....34	Meat inspection.....12,21	Taxation.....26
Economy.....26,41	Mink imports.....36	Telephone loans.....11
Education.....8,15	Natural resources.....37	Wage-price guidelines...17
Fisheries.....28	Pay raise.....2	Water pollution.....16,29
Food prices.....10	Peanuts.....14	Watersheds.....40
Foot and mouth disease..38	Pears.....6	Wheat.....6
Foreign aid.....1	Postal rates.....2	Wildlife.....6,33
Foreign trade...9,18,36,38	Poverty.....3,19	

HIGHLIGHTS: House agreed to conference versions of continuing appropriations measure, pay-raise and postal-rates bill, and poverty bill. House received conference report on San Rafael Wilderness bill. House committee reported bills to authorize marketing orders on pears, expand RC&D projects cost-sharing, and adjust wheat allotments. Senate passed bills to authorize transfer of peanut acreage allotments and to provide one-price program for extra-long-staple cotton. Rep. Berry submitted and discussed measure urging embargo on meat imports from countries with foot-and-mouth disease.

HOUSE

1. **APPROPRIATIONS.** By a 366-26 vote, agreed to the conference version of H. J. Res. 888, the continuing appropriations measure (see Digest 200 for provisions). pp. H16572-85

The Daily Digest says the House will consider the supplemental appropriation bill today, Dec. 12. p. D1115

House conferees were appointed on H. R. 13893, the foreign aid appropriation bill. Senate conferees have been appointed. p. H16556

2. PAY RAISE; POSTAL RATES. By a 327-63 vote, agreed to the conference version of H. R. 7977, the pay-raise and postal-rates bill. pp. H16585-617
3. POVERTY. By a 247-149 vote, agreed to the conference report on S. 2388, the poverty bill. This bill will now be sent to the President. pp. H16558-72, H16619, H16632, H16639-40
4. FORESTRY. Received the conference report on S. 889, to designate the San Rafael Wilderness, Los Padres National Forest, Calif. (H. Rept. 1029). p. H16618
Rep. Conelan inserted and discussed an article criticizing the Georgia-Pacific Co. for continuing to cut redwoods that are being considered for a national park. p. H16670
5. SOCIAL SECURITY. Received the conference report on H. R. 12080, the social security bill (H. Rept. 1030) (pp. H16684-705). Rep. Albert said this bill is to be considered Dec. 13 (p. H16556).
6. PEARS; RC&D PROJECTS; WHEAT. The Agriculture Committee reported with amendment H. R. 10564, to authorize marketing orders for pears (H. Rept. 1019), and S. 852, to authorize cost sharing for recreation and fish-wildlife in Resource Development and Conservation projects (H. Rept. 1020). p. H16707
The Agriculture Committee reported without amendment S. 1722, to provide for adjustment of wheat allotments in counties where wheat is the principal grain crop and where allotments are low in relation to cropland because farmers shifted prior to 1951 from wheat to an alternative crop or crops which have proved unprofitable because of plant disease or sustained loss of markets (H. Rept. 1021). p. H16707
7. MARKETING ORDERS. Rep. McFall commended the marketing orders program. p. H16654
8. EDUCATION. Conferees were appointed on H. R. 7819, the elementary and secondary education bill. Senate conferees have not been appointed. pp. H16617-8
9. COPPER IMPORTS. Rep. Olsen objected to the present level of copper imports. pp. H16631-2
10. FOOD PRICES. Rep. Zwach inserted an article stating that use of the supply-demand theory decreases the amount of food available. p. H16634
11. TELEPHONE LOANS. Rep. Nelsen objected to REA loans to large telephone companies. pp. H16640-1
12. MEAT INSPECTION. Rep. Smith, Iowa, inserted and discussed a statement of practices followed by some meat companies. pp. H16677-8

SENATE

13. COTTON; LANDS. Passed as reported H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline Co., Ark., to the Dierks Forests, Inc. Sen. Jordan, N. C., explained the committee amendments as follows: "... first, provide price-support loan for extra-long-staple cotton at 1½ to 2 times the support loan level for upland cotton, but in no event less than 35 cents per pound. As in the case of upland cotton, payments would be made to producers to bring the total support from 65 to 90 percent of parity. Price support

payments for extra-long-staple cotton, however, would be limited to an acreage not in excess of the 1966 acreage allotment; second, increase the minimum national marketing quota to an amount equal to the current import quota, approximately 82,470 bales. Since the 1968 national acreage allotment has already been proclaimed, the bill would increase the 1968 allotment from 70,500 acres to 77,300 acres, the equivalent of 82,430 bales; third, permit Commodity Credit Corporation to sell at market prices a quantity of extra-long-staple cotton equal to the amount by which estimated production falls short of estimated requirements. This is comparable to a similar provision for upland cotton and should permit each type of cotton to move in the market at a proper price relationship to the other type of cotton; and, fourth, permit transfers of extra-long-staple cotton acreage allotments within a State." pp. S18360-3

14. PEANUTS. Passed without amendment H. R. 11565, to authorize the transfer of peanut acreage allotments. This bill will now be sent to the President. As passed the bill "authorizes the Secretary of Agriculture during the 1968 and 1969 crop years to permit the sale, lease, or transfer of peanut acreage allotments, subject to the following conditions: (1) Such transfer must not impair the peanut marketing quota or price support program; (2) No transfer could be made to a farm in another county; (3) Any transfer must be agreed to by holders of all liens on the transferring farm; (4) No allotment could be sold from a farm which has purchased allotment during the three preceding years; (5) Transfers must be recorded with, and determined lawful by, the county committee; (6) The allotment must be adjusted if the normal yield to the farm to which it is transferred is more than 110 percent of that for the farm from which it is transferred; (7) A farm which transfers its entire allotment shall not be eligible for a new farm allotment for 5 years; (8) A lease may not exceed 5 years. Other transfers would be permanent; (9) The Secretary may prescribe reasonable limits on resulting allotments; (10) Not more than 50 acres shall be transferred by sale or lease to any farm; (11) Rates of payment in any conservation reserve contract or similar agreement for the farm from which the allotment is transferred shall be subject to appropriate adjustment." pp. S18291-2
15. EDUCATION. Passed, 71 to 7, with amendments H. R. 7819, the elementary and secondary education bill (pp. S18313-16, S18322-42, S18344-5, S18347-57). See Digest 196 for items of interest to this Department.
16. WATER POLLUTION. The Public Works Committee reported without amendment S. 2760, to amend the Federal Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution of water by oil (S. Rept. 917). p. S18292
17. WAGE-PRICE GUIDELINES. Sen. Proxmire inserted a Milwaukee Journal editorial calling for "a return to the voluntary wage-price guidelines." p. S18296
18. FOREIGN TRADE. Sen. Nelson inserted suggestions on the improvement of our export programs resulting from hearings by the Select Committee on Small Business (pp. S18297-8).
Sen. Smathers inserted "Wisconsin Regional Export Expansion Council Survey on Tax Incentives" (pp. S18298-300).

19. POVERTY. Sen. Proxmire stated "the report of the President's Commission on Rural Poverty...dramatically points up the need to reorient our programs to combat poverty" and inserted several editorials on the subject. pp. S18300-1
20. COOPERATIVES. Sen. Ervin expressed pleasure that a number of new major facilities in which the farmer co-ops are investing are located in rural areas. p. S18306
21. MEAT INSPECTION. Sen. Mondale commended personnel of this Department who "ably and fearlessly contributed to the success" of the meat inspection legislation. pp. S18306-7
22. BEEF. Sen. Pearson suggested exploring the possibility of assistance to Britain by supplying available American beef during the shortage in that country. p. S18307
23. SOCIAL SECURITY. Sen. Metcalf criticized the conference report on the social security bill. pp. S18371-4

ITEMS IN APPENDIX

24. RURAL POVERTY. Extension of remarks of Rep. Evins, Tenn., stating that events are "indicating a greater and greater attention is being focused on the problems of our rural and smalltown areas", and inserting articles on this subject. pp. A6083-4
25. RESEARCH. Extension of remarks of Rep. Evins, Tenn., inserting an address which suggests that selectivity is the key to sensible research and development. pp. A6086-7
26. TAXATION; ECONOMY. Extension of remarks of Rep. Hunt stating that "This administration has, indeed, used every gimmick to build its case for the surtax", and inserting an article, "Two Top Economists Warn Tax Increase Could Harm Economy." pp. A6093-5
27. CENSUS. Rep. Vander Jagt inserted two articles critical of the invasion of privacy in the 1970 census. p. A6096

BILLS INTRODUCED

28. FISHERIES. H. R. 14358 by Rep. Chamberlain and H. R. 14360 by Rep. Ford, to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects; to Merchant Marine and Fisheries Committee.
29. WATER POLLUTION. S. 2760 by Sen. Muskie and others, to amend the Federal-Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution by oil; to Public Works Committee. Remarks of author pp. S18293-4

ago, I do not know. At least we do know that they are stated quite differently.

Are our objectives the same now as then?

Are these goals realistic?

Are they attainable?

Is our national security truly involved?

Are we in fact in mortal peril, as Secretary Rusk has told us, in the happenings in Vietnam?

Is self-determination for the Vietnamese our goal, or is our own national security our goal?

Are our objectives consistent with the Geneva accords?

Is the security of all of Southeast Asia involved?

How do our policies affect relations between ourselves and the Soviet Union? With China? Those nations with each other?

These are questions on which the American people as well as their elected representatives are entitled to have definite answers.

It seems to me that the democratic process is dealt a serious blow by this breakdown in public communication between the executive and the legislative. It seriously affects the constitutional equation between the two coordinate branches of Government. As I have said, I hope that the President will alter his view before the Congress reconvenes in January.

In any event, I shall have more to say on the subject at that time.

FALSE REPRESENTATIONS IN THE MAILS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 871, H.R. 1411.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 1411) to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, on page 3, after the quotation following line 9, insert a new section, as follows:

SEC. 3. Section 5108(a) of title 5, United States Code, is amended by striking out the figure "2,577" and inserting in lieu thereof the figure "2,706".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and to amend title 5, United States Code, to increase the total number of positions in GS-16, GS-17, and GS-18 to meet certain emergency needs within the executive branch."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 886), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this legislation is to protect the public from false and misleading advertisements which purport to sell goods or property of substantial value, particularly in the fields of medical science and real estate, which in fact are worthless or grossly misrepresented.

The Subcommittee on Postal Affairs held hearings on a similar bill, S. 274, introduced by Senator Harrison A. Williams, Jr., after earlier hearings before the Special Committee on Aging indicated the substantial need for public protection from such schemes throughout the United States.

JUSTIFICATION

The civil postal fraud statute (39 U.S.C. 4005) protects a consumer from being victimized by false representations sent through the U.S. mail. It protects the consumer by authorizing the return of his mail containing remittances, generally in the form of checks or money orders, addressed to the unscrupulous promoter.

In order to establish a basis to issue a mail-stop order under the civil postal fraud statute, the Post Office Department is required to prove that—

(1) Advertising is being used by a promoter who seeks money or property through the mail;

(2) The advertising contains representations which are material and false as a matter of fact; and

(3) The false representations were made with intent to deceive.

Before issuing a mail-stop order, the Post Office Department gives an advertiser alleged to be violating the statute an opportunity to discontinue the objectionable representations and to return the mail he receives as a result of such representation. If he does not and a violation is established, the Postmaster General issues a mail-stop order requiring the postmaster at the promoter's post office of delivery to return to the sender any mail addressed to the promoter which contains remittances or relates to the objectionable representations.

The Post Office Department is not usually troubled with proving the use of the advertising or that the advertising contains representations which are material and false as a matter of fact. It is seriously hampered by the necessity of meeting the burden of proof as to intent. The courts consistently have held that the word "fraudulent" as used in the statute, requires a proof of intent (*Reilly v. Pinkus*, 338 U.S.C. 269).

The bill will eliminate the necessity for establishing the intent to deceive, which is wholly incompatible with the underlying purpose of the civil fraud statute—the protection of the public—the consumer—against the use of the mail to distribute false representations as a basis for obtaining money or property.

The Postmaster General's mail-stop order merely deprives an unscrupulous operator of the right to receive remittances through the mail which he has sought on the basis of false representations. His legal rights are fully protected. He receives the protection of the Administrative Procedure Act (5 U.S.C. 551) during the proceedings at the departmental level, and he is afforded an opportunity to discontinue the advertising which is alleged to contain false representations before the mail-stop order is issued. After the order is issued, he can go into the U.S. district court for relief from the order (28 U.S.C. 1339) and he can appeal all the way to the Supreme Court if he so desires.

Post Office Department files contain many examples of the need for this legislation so that some action can be taken when evidence of the intent to deceive is not available. In 1962, an investigation of the Lake Mead Land and Water Co. was started as the result of evidence that false advertising was being used by the promoters. A "favorite swimming hole" pictured in the advertising brochure was, in truth a cattle watering pond not even located on the promoters' property, also various springs and wells depicted in the literature were not located on the property. By the time a conviction was obtained in June 1965, 3,000 persons lost an estimated \$1 million before the enterprise was stopped through conviction. The promoters continued to receive payments by mail up to the time of conviction.

Another example of false representation occurred in 1964, and involved the sale of 300 machines for \$197.50 each. The investigation and trial showed that the machines worthless and were not, as advertised, a cure for varicose veins, prostate difficulty, arthritis, ulcers, diabetes, failing heart, and bleeding piles. It was not possible to prove that the elderly promoter of the device knew that the device was worthless when he advertised it as a cure for the above-mentioned medical problems.

During the fiscal year 1967, postal inspectors completed 9,836 investigations on the basis of complaints or other indications of possible fraudulent activity. Evidence obtained in 737 cases indicated fraudulent intent so as to warrant referral to U.S. attorneys for consideration of prosecution under the criminal statutes. In 341, or 46 percent, of these cases, prosecution was not undertaken—scarcity of proof of actual and conscious intent representing the basic determining factor in many instances.

These cases involved false, but not necessarily fraudulent, claims based on the intent to deceive. They should have been dealt with under the civil statute which, if amended, could prevent the loss of vast sums of the consumer public's money.

Since 1962, 49 land fraud promotions have been stopped by successful criminal prosecutions, where the public loss is estimated as exceeding \$50 million. What amounts of money are involved in false representation cases can only be estimated, but it is probable that it far exceeds the \$50 million figure involving land frauds.

There is no question that if proof of falsity of advertising claims was a sufficient basis for a civil action under the United States Code, vast amounts of public money could be saved. If the situation continues as it is now no action of any kind can be taken in the vast majority of cases involving false advertising promotions through the U.S. mail which have, and will continue to victimize, the American public.

There are administrative statutes of the regulatory agencies operative against false advertising where intent is not an element of required proof, as well as criminal statutes. For example, the Food, Drug, and Cosmetic Act imposes criminal penalties for misbranding through deceptive packaging (21 U.S.C. 333). Neither intent to defraud nor awareness of violation need be proved for the imposition of criminal penalty under the deceptive packaging section of that act.

The Food and Drug Administration has authority to undertake seizure action where false labeling of a product is involved and the establishment of intent is not required.

The Securities Exchange Commission is also authorized to proceed against the use of a false stock prospectus without the burden of establishing intent (15 U.S.C. 77a and following), and the Air Pollution Act of 1924 (33 U.S.C. 431-437) provides for criminal action without establishing intent.

H.R. 1411 will rewrite the provisions of section 4005 of title 39, United States Code, relating to fraudulent and lottery matter,

reenacting, with technical adjustments, most of the provisions of the existing law. There is only one major substantive change.

Subsection (a) of section 4005 now provides for the issuance of mail-stop orders when the Postmaster General finds that a person is engaged in conducting a scheme or device for obtaining money or property through the mail by means of "false or fraudulent pretenses, representations, or promises."

This bill eliminates from the present statute the words "false or fraudulent pretenses, representations, or promises" and substitutes the words "false representations."

The bill also eliminates the requirement that the letters which are to be returned to the sender be marked "fraudulent" or, in the case of lotteries, as "lottery mail," and substitutes in lieu thereof a provision authorizing the Postmaster General to return the mail appropriately marked as in violation of these provisions. The bill does not make any other material changes in the existing law.

H.R. 1411 is intended to overcome one of the existing legal loopholes consistently used by unscrupulous promoters to defraud innocent victims through the U.S. mails. It will eliminate the present burden of proving that an unscrupulous promoter who used the U.S. mails to obtain money or property by means of false representations actually had the intent to deceive when he sent the false representation through the mail.

H.R. 1411 does not change and has no effect on the provisions of 39 U.S.C. 4005 relating to lotteries.

COST

There is no additional cost to the Post Office Department involved in this bill.

ADDITIONAL SUPERGRADE POSITIONS

The committee has amended the bill as referred to add a new section 3 and provide 129 additional positions at grade GS-16, GS-17, and GS-18 of the General Schedule to meet certain emergency needs of several executive branch agencies.

Public hearings were held on this subject before the full committee on December 5, 1967, at which time Civil Service Commission Chairman John W. Macy, Jr., testified as to the immediate needs of the executive branch for additional positions at the highest level of the career civil service.

In 1965, the Committee on Post Office and Civil Service favorably reported a bill increasing from 2,400 to 2,500 the number of supergrades under the jurisdiction of the Civil Service Commission. This was done in order to meet immediate needs of the executive branch, principally the Social Security Administration after the enactment of the medicare program.

In 1966, the House of Representatives, after extensive consideration of overall Government needs, passed the Senate-passed bill (S. 2393), increasing the total number allocated to the Commission from 2,400 to 2,700 and increasing by 156 positions the number of supergrades specifically allocated to agencies which under existing law have a supergrade quota. After conference, Congress approved Public Law 89-632, approving 177 positions for Civil Service Commission allocation and 123 positions outside of Civil Service Commission jurisdiction and control. The total number of supergrade positions now allocated by the Commission is 2,577. The committee had intended to undertake a thorough review of supergrade needs early in the first session of the 90th Congress, but did not do so because of the consideration of other important legislation.

Section 3 of H.R. 1411 increases this to a new total of 2,706 positions at the supergrade level.

The committee has considered the effect of certain new programs created by law in recent months and recommends that the Com-

missioners, in determining the distribution of these additional positions, should take into account the following:

The primary needs of the Department of Transportation are that of developing integrated transportation systems and conducting indepth studies of the overall transportation needs of the Nation. Secretary Boyd must be able to recruit and retain a staff capable of providing innovative leadership to the Department of approximately 100,000 civilian employees.

The major components of the Department, such as the Office of the Secretary, National Transportation Safety Board, Federal Railroad Administration, Federal Highway Administration, Federal Aviation Administration, U.S. Coast Guard, and the St. Lawrence Seaway, represent the activities of approximately 100,000 employees and a budget of \$6 billion in programs requiring standards development as well as operational and enforcement endeavors. The bulk of the supergrade positions needed will fall in administration, policy development, standards development, and research.

Public Law	Description	Enacted
89-675	Clean Air Act Amendments of 1966	Oct. 15, 1966
89-109	Veterinary Medical Education Act of 1966	Nov. 2, 1966
89-743	Comprehensive Health Planning and Public Health Services Amendments of 1966	Nov. 3, 1966
89-751	Allied Health Professions Personnel Training Act of 1966	Do.
89-754	Narcotic Addict Rehabilitation Act of 1966	Nov. 8, 1966
90-31	Mental Health Amendments of 1967	June 24, 1967
90-42	Older Americans Act Amendments of 1967	July 1, 1967
90-99	Vocational Rehabilitation Amendments of 1967	Oct. 3, 1967
90-170	Mental Retardation	Dec. 4, 1967

The committee also recommends careful consideration for the administrative needs of the Department of Housing and Urban Development.

Typical of the program growth which requires additional positions in GS-16, 17, and 18 for HUD are as follows: In the model cities programs, the supplemental grants have increased to over \$200 million from their 1967 level of \$11 million; the renewal assistance program has increased by over \$100 million in 1968 over 1967 (\$797 million to \$905 million); the HUD program in technology and research has increased from less than a million to \$10 million from 1967 to 1968; projected for fiscal year 1968 is an increase of 60,000 low- and moderate-income housing units over the fiscal year 1967 level; and an innovative "new-town, in-town" program has recently been initiated.

The increasing workload of the Bureau of Customs in the Treasury Department, made even more complex by such technological advances as larger passenger jets and the trend toward containerization, prompted a sweeping reorganization. The Bureau of Customs requires additional executive positions to provide more responsive and innovative leadership to this vital program.

The continuing growth of activities in the Bureau of Customs is demonstrated by the following: The volume of imports has increased from \$16 billion in 1962 to \$26 billion in 1967; customs collected \$1.6 billion in revenues, duties, and other taxes in 1962 and \$2.8 billion in 1967. To handle this large volume of imports, the Bureau of Customs processed 1.5 million formal entries in 1962, and 2.2 million in 1967.

A need exists for top-level personnel in the new Office of Law Enforcement and Criminal Justice, Department of Justice, to devise and apply new and more effective approaches in combating the criminal elements in our society. The concern of the Congress and the President for quick action on this front makes it imperative that imaginative leadership be brought to bear on these problems. Applying technological and scientific advances to the problems of crime and developing new techniques and programs in

There is a continuing need for additional supergrade allocation for the Department of Health, Education, and Welfare.

Growth of HEW programs can be measured in terms of administrative budget which has increased from \$3.4 billion in 1960 to more than \$12 billion in 1967. In terms of percentage of the President's administrative budget, the increase has been from 2.7 percent to more than 10 percent. In terms of legislation, there have been more than 70 major new pieces of legislation since 1961. One example is the medicare program which covers more than 19 million older people. Another example is the Office of Education appropriations which have grown from \$600 million in 1962 to nearly \$4 billion in 1967. Trust fund expenditures administered by HEW are up from \$14.5 billion in 1962 to \$29.7 billion in 1967; an increase of 105 percent. HEW has had six major pieces of new legislation enacted from October 1966 to the present time and six amendments to previous pieces of legislation which had significant impact on HEW programs. Examples are the following public laws:

corrections, police programs and the courts all demand the best in executive ability.

The committee believes that the Commissioners should give very careful consideration to the needs of all other executive agencies, particularly those with new or substantially expanded programs; and with particular reference to the Department of Agriculture, the Post Office Department, the Veterans' Administration, and the Bureau of the Budget.

The committee had decided against approving a special authority for the government of the District of Columbia. Under existing allocation by the Civil Service Commission, the District has 30 positions in GS-16, GS-17, and GS-18. Chairman Macy requested an additional 20 positions and the establishment of a separate authority not subject to Commission allocation for the District government.

Because there were no hearings held on the needs of the District government and because the committee continues to be unanimously in favor of Commission allocation of all positions except those presently otherwise authorized by law, this provision has not been included. The total number of positions recommended by the committee includes 20 which the Commission may allocate to the District government if the District needs meets Commission standards.

Further consideration of supergrade needs of the executive branch and agencies now under special authority will be considered as early as possible in the next session of Congress.

LAND CONVEYANCE IN SALINE COUNTY, ARK.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 893, H.R. 10864.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in

Saline County, Ark., to the Dierks Forests, Inc., and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 2, after line 21, insert a new section, as follows:

SEC. 4. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(b)(1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such succeeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: *Provided*, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

"(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraph (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section.

"(5) The Secretary shall adjust the national marketing quota for the 1968 crop of cotton described in subsection (a) so that such quota shall be not less than the number of bales required to provide a national acreage allotment for such crop of seventy-seven thousand three hundred acres. The Secretary shall allocate the additional acreage under this paragraph to States, counties and farms on a pro rata basis."

On page 5, after line 2, insert a new section, as follows:

SEC. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words "except that", and substituting in lieu thereof the following: "notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not discontinued marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

On page 7, after line 2, insert a new section, as follows:

SEC. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

"(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to trans-

fer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

"(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year."

On page 8, after line 3, insert a new section, as follows:

SEC. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: *Provided*, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly."

And on page 9, after line 2, insert a new section, as follows:

SEC. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968.

Mr. JORDAN of North Carolina. Mr. President, the Food and Agriculture Act of 1965 provided for a one-price program for upland cotton. Under that act a maximum loan level for upland cotton was established at 90 percent of the estimated average world market price. That law, however, did not affect the support loan level for extra-long-staple cotton which remained at 60 to 75 percent of parity. As a result, the support loan for extra-long-staple cotton is out of line with that for upland cotton. The extra-long-staple cotton is moving into Commodity Credit Corporation stocks instead of to market and the acreage allotment for extra-long-staple cotton has been reduced from 112,500 acres in 1964 to 70,500 acres in 1968.

The committee amendments would correct this situation by bringing the price-support loan for extra-long-staple cotton down to a level commensurate with that for upland cotton. The committee amendment would first, provide a

price-support loan for extra-long-staple cotton at $1\frac{1}{2}$ to 2 times the support loan level for upland cotton, but in no event less than 35 cents per pound. As in the case of upland cotton, payments would be made to producers to bring the total support from 65 to 90 percent of parity. Price support payments for extra-long-staple cotton, however, would be limited to an acreage not in excess of the 1966 acreage allotment; second, increase the minimum national marketing quota to an amount equal to the current import quota, approximately 82,470 bales. Since the 1968 national acreage allotment has already been proclaimed, the bill would increase the 1968 allotment from 70,500 acres to 77,300 acres, the equivalent of 82,480 bales; third, permit Commodity Credit Corporation to sell at market prices a quantity of extra-long-staple cotton equal to the amount by which estimated production falls short of estimated requirements. This is comparable to a similar provision for upland cotton and should permit each type of cotton to move in the market at a proper price relationship to the other type of cotton; and, fourth, permit transfers of extra-long-staple cotton acreage allotments within a State.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 909), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF SECTIONS 1 THROUGH 3 OF THE BILL

Sections 1 through 3 of this bill authorize the Secretary of Agriculture to convey 5.28 acres of national forest land to Dierks Forests, Inc., upon condition that Dierks Forests, Inc. reconvey 40 acres to the United States. The 40-acre tract, which was conveyed to Dierks Forests as part of a 1959 land exchange, is subject to adverse claims by third parties and would not have been conveyed to Dierks Forests if it had been known to be subject to such claims. The Department of Agriculture has advised the committee informally that while precise appraisals of the two tracts have not been made, it has been determined that the value of the 40 acres to be conveyed to the Government is not less than the value of the 5.28 acres to be conveyed to Dierks Forests. The facts creating the need for this bill are set out in further detail in the attached favorable report of the Department of Agriculture.

EXPLANATION OF THE COMMITTEE AMENDMENT

The committee amendment, which would add sections 4 through 8 to the bill, deals with price support and acreage allotments for extra-long-staple cotton and is designed to restore the price of extra-long-staple cotton to a normal relationship with that for upland cotton.

The committee amendment would establish a compensatory payment program beginning with the 1968 crop of extra-long-staple cotton and would require mandatory national marketing quotas beginning with the 1969 crop of such cotton with a minimum quota not less than the amount of import quota in effect on August 1, 1967, for extra-long-

staple cotton having a length of $1\frac{3}{8}$ inches or more under section 22 of the Agricultural Adjustment Act (of 1933), as amended. The import quota in effect on August 1, 1967, for the 1967-68 marketing year is 39,590,778 pounds which converts to approximately 82,480 standard bales (500 pounds gross weight). The 1968 national marketing quota would be adjusted so as to provide a 1968 national acreage allotment of 77,300 acres. The increased acreage would be allocated to States, counties, and farms on a pro rata basis.

Price support would consist of loans and payments. The bill would provide a loan level at from 150 to 200 percent of the loan level for upland cotton, as set by the Secretary (but in no event less than 35 cents per pound). Based on a 1968 upland rate at 20.25 cents, the 1968 extra-long-staple cotton loan rate could range between 35 and 40.5 cents. A payment would be made to producers at a rate which, when added to the loan rate, would provide a total price support at not less than 65 percent of the parity price for extra-long-staple cotton. If, for example, the loan rate for 1968 crop extra-long-staple cotton were 40 cents, the payment rate would be 8.7 cents (based on an assumed parity price of 74.9 cents). Price-support payments would be made to producers on the quantity of extra-long-staple cotton actually produced on an acreage planted on the farm within the farm allotment. However, for any crop for which the national acreage allotment is larger than the 1966 national allotment of 81,400 acres, a national factor would be obtained by dividing such national allotment by the 1966 national allotment. This factor would be applied to each farm allotment and the production from the acreage thus obtained would be the maximum quantity on which payment could be made. For example, if the 1970 national allotment were 100,000 acres, the factor would be 0.814. A producer with a farm allotment of 100 acres could plant 81.4 acres and receive the price-support payment on the entire production of extra-long-staple cotton on the farm. If he elected to plant 90 acres instead of 81.4 acres, he would receive the price-support payment on a quantity of extra-long-staple cotton produced on the farm determined by multiplying the actual average production per acre for the farm by the factored farm allotment (farm allotment times the national factor). This method of determining the amount of payment would apply to any planted acreage above 81.4 acres and within the 100-acre farm allotment.

Transfers of extra-long-staple cotton farm allotments within the State could be authorized by the Secretary beginning with the 1968 crop. Such transfers could be by sale, lease, or by owner subject to terms and conditions prescribed by regulations of the Secretary.

A quantity of American-grown extra-long-staple cotton equal to the shortfall of such cotton (quantity by which domestic consumption and exports exceed production) would be available for purchase from CCC at current market prices until the carryover of American grown extra-long-staple cotton is reduced to the point that the national marketing quota exceeds the statutory minimum. Thereafter, no sales of CCC stocks could be made at less than 115 percent of the loan

rate for extra-long-staple cotton. These respective price levels for CCC sales of extra-long-staple cotton would be applicable to sales of stockpile extra-long-staple cotton under the act of July 25, 1962 (76 Stat. 218).

Effective August 1, 1968, the provisions of section 3 of Public Law 88-638 relating to CCC export sales of extra-long-staple cotton would be repealed. Such repeal would include the repeal of the provision thereof which requires exclusion of Public Law 480 exports in determining extra-long-staple cotton national marketing quotas. In other words, such exports would be counted beginning with the 1969 quota determination.

BACKGROUND

Extra-long-staple cotton, which in the United States is grown mainly in west Texas (El Paso area), New Mexico, and Arizona, has had acreage allotment and price support programs in effect continuously since 1954. These programs are carried out independently of the upland cotton programs. With few exceptions farms which have extra-long-staple allotments also have upland allotments.

During the Korean and past wars extra-long-staple cotton was a strategic fiber needed for parachutes, sewing thread, etc. In recent years manmade fibers have largely supplanted extra-long-staple cotton insofar as military needs for such items are concerned. However, extra-long-staple cotton is now used in blends with manmade fibers for certain military apparel such as jackets and raincoats.

Over the years USDA and the Congress have dealt sympathetically with the extra-long-staple cotton producers for various reasons, some of which are (1) the Suplma Association has carried out an aggressive promotional campaign with assessments of \$3 per bale paid in by producer members and (2) the association several years ago requested and obtained legislation reducing the price support percentage of parity level substantially below that for upland cotton in order to price their cotton more competitively.

Extra-long-staple cotton produced in the United States competes directly with similar cotton imported from Peru, Egypt, and the Sudan. An import quota under section 22 limits imports to about 82,480 bales each marketing year. In 1965 extra-long-staple production in the United States was exactly equal to the volume of imports; in 1966 production was somewhat lower than the import quota; and for 1967 production is expected to be about 15 percent lower than the import quota.

Under a law passed in 1964 CCC has been selling some extra-long-staple cotton for export at about 10 cents per pound less than U.S. market prices. Most exports have been financed under title I of Public Law 480.

The loan rate for the 1966 crop (49.25 cents) and the 1967 crop (47 cents) causes unrealistically high market prices for the qualities of extra-long-staple cotton which compete with the longer staple lengths of upland cotton. In other words, the low loan levels authorized by the 1965 act for upland cotton have removed the desirable price relationship which previously existed in the United States between upland and extra-long-staple cotton.

It is the purpose of these amendments to correct the existing imbalance in price as between upland and extra-long-staple cotton.

EXTRA-LONG-STAPLE COTTON: ACREAGE ALLOTMENTS, 1958-68

State	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968
Arizona	35,050	29,908	27,326	26,831	42,433	63,739	48,342	33,595	35,315	30,591	30,610
California	603	425	424	420	670	1,005	746	509	546	472	474
Florida	1,020	635	554	491	705	950	536	297	264	198	181
Georgia	124	116	132	112	157	217	159	113	117	98	97
New Mexico	16,194	14,003	12,478	12,455	19,681	29,725	22,405	15,627	16,402	14,249	14,264
Texas	27,829	24,196	22,243	21,893	34,455	51,600	39,133	27,304	28,679	24,846	24,851
Puerto Rico	2,466	1,539	1,619	1,538	2,192	2,644	1,179	313	77	46	23
Total	83,286	70,822	64,776	63,740	100,293	149,880	112,500	77,758	81,400	70,500	70,500

LONG-STAPLE (OTHER THAN UPLAND) COTTON: SUPPLY AND DISTRIBUTION, UNITED STATES, 1950 TO DATE¹[In thousands of bales]²

Year beginning Aug. 1	Supply			Distribution		
	Carryover beginning of season	Production	Imports	Total	Consumption	Exports
1950	65.0	62.2	121.2	248.4	³ 152.4	(⁴)
1951	82.4	46.0	46.1	174.5	³ 79.5	(⁴)
1952	48.3	93.5	132.5	274.3	³ 103.1	(⁴)
1953	93.7	64.5	92.1	250.3	100.7	(⁴)
1954	158.4	40.9	98.4	297.7	111.6	0.4
1955	176.9	41.5	85.9	304.3	³ 124.9	20.3
1956	129.8	49.1	93.1	272.0	³ 112.2	57.9
1957	53.3	79.7	44.6	177.6	³ 99.4	9.7
1958	121.7	81.9	85.5	289.1	³ 109.1	23.5
1959	152.3	69.1	83.2	304.6	137.3	4.2
1960	154.4	66.0	85.7	306.1	³ 148.1	7.4
1961	138.3	61.0	84.2	283.6	³ 170.6	7.1
1962	⁵ 90.4	109.8	82.1	282.3	³ 160.6	2.7
1963	⁵ 199.6	161.2	80.4	441.2	³ 140.7	1.6
1964	⁵ 253.2	116.7	82.7	452.6	152.3	21.2
1965	⁵ 259.3	85.6	87.6	432.5	140.9	5.7
1966	⁵ 288.5	71.2	76.7	436.4	134.9	12.9
1967 ⁶	⁵ 253.8	67.0	⁷ 85.6	406.4	-----	-----

¹ Includes American-Egyptian, Sea Island, and foreign-grown cotton. In some years prior to 1963, small amounts of foreign long-staple upland cotton are included.

² American-Egyptian and Sea Island in running bales, foreign in bales of 500 pounds.

³ Adjusted to a cotton marketing year basis Aug. 1-July 31.

⁴ Less than 50 bales.

⁵ Foreign stockpile cotton included by the Bureau of the Census as of Aug. 1 was 7,168 bales in 1962, 61,168 bales in 1963, 24,474 bales in 1964, 18,307 bales in 1965, 12,500 bales in 1966, and 834 bales in 1967. In bond cotton is not included; 116,609 bales as of Aug. 1 in 1963, 60,297 in 1964, 38,022 in 1965, and 33,284 in 1966.

⁶ Preliminary and estimated.

⁷ Import quota.

SUMMARY OF COMMITTEE AMENDMENT

To dispose of surplus stocks accumulated in recent years and to increase domestic consumption of extra-long-staple cotton, the committee amendment would change existing law as follows:

(1) Reduce the loan level to about 35 to 40 cents per pound and make payments to producers (about 9 to 14 cents per pound) on cotton produced. The total price support thus provided for any crop would be not less than 65 percent of parity. Based on November 1967 parity of 74.9 cents, 65 percent of parity would be 48.7 cents per pound. With a market price at about the loan level a one-price system would be in effect for extra-long-staple cotton; that is, cotton would be available for domestic consumption or export at the same price. CCC sales for export at reduced prices would be discontinued.

(2) The national marketing quota for any year would be no smaller than the import quota now in effect for extra-long-staple cotton stapling 1½ inches and longer (about 82,480 standard bales). In order to dispose of surplus stocks the national marketing quota would not be established above the minimum level unless (a) carryover stocks of U.S. grown extra-long-staple cotton were reduced to 50 percent or less of estimated domestic consumption and exports of such cotton and (b) the formula under section 347(b) of the act resulted in a marketing quota above the minimum level.

(3) At lower market prices consumption of extra-long-staple cotton would probably increase and eventually the marketing quota would be established at a level higher than the import quota. However, this development would not increase the outlay for payments described in item 1 since the bill limits size of the acreage on which payments will be made to the 1966 national allotment (81,400 acres).

(4) The national allotment for 1968 is 70,500 acres. The minimum allotment provision described in item 2 would cause the 1968 allotment to be increased to 77,300 acres on the basis of the current national yield.

(5) A quantity of American grown extra-long-staple equal to the shortfall of such cotton (excess of domestic consumption and exports over production) would be made

available for sale by CCC at current market prices.

(6) Farm allotments could be transferred from farm to farm within the State under regulations prescribed by the Secretary.

CONSTRUCTION OF NEW SCHOOL BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, on December 4, I wrote to Mayor-Commissioner Walter E. Washington urging that consideration be given to accelerating the updating of obsolete school buildings in the District of Columbia.

Since I became chairman of the Senate Appropriations Subcommittee on the District of Columbia in the first calendar quarter of 1961, a total of 66 elementary school projects have been initiated, 17 junior high school projects have been initiated, and 6 senior high school projects have been initiated. These capital outlay projects provide for an aggregate of 2,307 rooms, for which funds amounting to \$126,777,692 have been appropriated.

In my letter to Mayor Washington, I stated that there are 48 obsolete buildings in use during fiscal year 1968 which are scheduled to be replaced and that 13 of these have been fully funded and 11 have been initially funded.

The estimated cost, above the fiscal year 1968 funding, to replace the obsolete facilities would be \$52,190,000. The cost of modernizing elementary and junior high schools is estimated to be \$23,905,000. The cost of providing facilities for increased membership over the next few years is estimated to be \$31,756,000, and the cost of implementing the new board pupil-teacher ratios at all levels is estimated to be \$99,814,000. The total funding needed to carry out this capital outlay program would be \$207,665,000.

At the present time, the public school plant consists of a grand total of 245 buildings, of which one senior high school was erected before 1900, 33 elementary schools antedate 1900, and 37 classroom buildings were erected during the period 1900-1920. Some of these buildings, especially those erected in the 1900-1920 period, are capable of being modernized and would not necessarily need to be replaced. In any event, although we have gone a long way toward replacing obsolete buildings and modernizing our school plant, much remains to be done.

On December 8, I wrote again to Mr. Washington after having had an opportunity to review his fiscal year 1969 budget proposals, and renewed my reference to the Board of Education's 6-year construction program which "requires completion of 97 projects at an estimated cost of about \$207,665,000." I noted that the fiscal year 1969 portion of this construction program, which was requested by the District of Columbia Board of Education, was for 50 projects totaling \$57,727,000, but that "only 28 projects and \$38,659,000 were approved in the District's proposed fiscal year 1969 budget." I urged the Mayor that the deleted school requests be reconsidered, stating that I realized that the District is faced with many requests from all Departments. As I pointed out in my December 8 letter, the proposed fiscal year 1969 budget "delays the completion" of the projects in the Board of Education's 6-year public works program.

Mr. President, as I emphasized in my correspondence to Mr. Washington, I do not consider myself competent to make specific proposals for accelerating completion of the 6-year school construction program. Nonetheless, I strongly believe that all budget priorities should be reviewed most carefully to determine to what extent the school construction program can be completed even within less time than that which is contemplated in the Board of Education's 6-year program. Perhaps the school construction program could be completed in 4 years. How this can be done, of course, is a matter for the appropriate District government and school officials to determine, but I believe, Mr. President, that education should receive the highest possible priority, and I have said this many times publicly.

Nobody knows better than I the many demands that are made upon the limited revenues, but I believe that, with the proper study and emphasis, the way can be found to replace obsolete school facilities and modernize the school plant in the shortest possible time. In my opinion, this simply must be done, and I shall do everything within my power to assist in achieving that objective.

It is my firm belief that one of the basic causes of such problems as crime, burgeoning welfare caseloads, illegitimacy, and hard core unemployment is that too many of our citizens suffer from a serious lack of education. To the extent that we are able to expedite the achievement of a model school plant in the District of Columbia, we will be acting to reduce the incidence of other seri-

ous problems in this city a quarter of a century away.

In all candor I must say that I am disappointed with the proposed fiscal year 1969 budget, particularly insofar as it deals with the school construction program. I trust that action will be taken to rectify this disturbing shortcoming. It is not enough to say that there are other problems. It is only enough to say that schools are of the highest priority and the budget requests will be made to reflect this. It is not enough to say that the way is difficult; we must find the way.

I do not presume to speak for the Senate or for the other body. I do say, however, that only those school capital outlay projects which are included in the President's budget request stand any chance of being funded. Those projects that are omitted from the budget stand little, if any, prospects of being restored or included at the congressional committee level. Looking forward to the time when the President's budget will be formulated, I wish to emphasize the importance of emphasizing a strong school capital outlay program at the present stage of budgetary development.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point my letter of December 4, 1967, addressed to the Hon. Walter E. Washington, Mayor-Commissioner of the District of Columbia; my letter of December 8, 1967, to Mayor-Commissioner Washington; a table showing the 6-year public works schedule, fiscal year 1969-74 projects remaining to be accomplished by program; a table showing a comparison of the fiscal year 1969 Board of Education's request and the Mayor's budget with the total capital outlay program of the public schools; a table of the estimated cost above fiscal year 1968 funding to complete the public school's capital outlay programs; a table showing classroom buildings erected before 1900 by levels; a table showing classroom buildings erected between 1900 and 1920, by levels; a table listing the buildings in the District of Columbia public school plant; a table of 48 obsolete buildings in use during fiscal year 1968 which are scheduled to be replaced; and a table showing the capital outlay for projects initiated since March 31, 1961.

There being no objection the items requested were ordered to be printed in the RECORD, as follows:

DECEMBER 4, 1967.

Hon. WALTER E. WASHINGTON,
Mayor-Commissioner, District of Columbia,
Washington, D.C.

DEAR MAYOR WASHINGTON: I became Chairman of the Senate Appropriations Subcommittee on the District of Columbia in the first calendar quarter of 1961. Since that time, a total of 66 elementary school projects have been initiated, 17 junior high school projects have been initiated, and 6 senior high school projects have been initiated. These capital outlay projects involve 1,414 rooms in the elementary schools, 687 rooms in the junior high schools, and 206 rooms in the senior high schools, making a total of 2,307 rooms, for which funds amounting to \$126,777,692 have been appropriated.

There are 48 obsolete buildings in use during FY 1968 which are scheduled to be replaced. Of these, 13 have been fully funded, 11 have been initially funded in FY 1968, and 24 are programmed for replacement during the period FY 1969-FY 1974.

The estimated cost above the FY 1968 funding to replace the obsolete facilities would be \$44,532,000 for the elementary schools and \$7,658,000 for the junior high schools, making a total of \$52,190,000.

My purpose in writing this letter is to urge that serious consideration be given to updating the schedule of replacement of these obsolete facilities. Considering the multiplicity of demands upon available funds, together with the many other problems involved in such a building program, I realize that any program for replacement of the remaining 24 buildings and the completion of the 11 initially funded buildings will require a period of some years. Nevertheless, I believe that every consideration should be given to reducing the FY 1969-FY 1974 period for such replacement to, at most, a three-year period. Perhaps it could be reduced to an even shorter period; on the other hand, all things considered, a three-year period may be in the realm of wishful thinking.

I have no doubt that careful study has been given to the program of replacement of obsolete buildings and that in the judgment of those who have planned the FY 1969-FY 1974 replacement schedule this was probably the best that could be hoped for in the light of the revenue picture, site selection problems, construction time, etc. Nonetheless, I would like to suggest that it may be worthwhile to at least review the schedule of replacement with a view to expediting that schedule. It is my belief, and I know you share that belief, that the Nation's Capital should have a model public school system, and it is my desire that the obsolete buildings within that school system be replaced at the earliest date. At the present time, the public school plant consists of a grand total of 245 buildings, of which one senior high school was erected before 1900, 33 elementary schools antedate 1900, and 37 classroom buildings were erected during the period 1900-1920. Some of these buildings, especially those erected in the 1900-1920 period, are capable of being modernized and would not necessarily need to be replaced. In any event, although we have gone a long way toward replacing obsolete buildings and modernizing our school plant, much remains to be done.

The cost of modernizing elementary and junior high facilities is estimated to be \$23,905,000. The cost of providing facilities for increased membership over the next few years is estimated to be \$31,756,000. The cost of implementing the new board pupil-teacher ratios at all levels is estimated to be \$99,814,000. Thus, the estimated cost above FY 1968 funding to complete the public school capital outlay programs amounts to a grand total, including the funding needed to replace obsolete facilities mentioned above, of \$207,665,000.

There is no question but that the money to meet all of the real and imagined needs of the District of Columbia will never be forthcoming, but I have consistently maintained that money spent in education returns the highest dividends. Appropriations for education today will help to diminish the cost of crime, welfare, unemployment, etc., a quarter of a century from now, to say the least. I, for one, want to continue to do everything in my power to see that every dollar, which can feasibly be expended for the education of our people, is provided.

Whether or not the public school capital outlay programs can be expedited beyond

what is presently planned, I, of course, am not competent to say. I do, however, assure you of my utmost support in any effort to speed up the program if, in the judgment of your school and budget officials, it is possible and feasible to do so.

I commend you on your work, thus far, in your new and challenging and important assignment as Mayor-Commissioner of the District of Columbia.

Sincerely yours,

ROBERT C. BYRD,
U.S. Senator.

DECEMBER 8, 1967.

Hon. WALTER E. WASHINGTON,
Mayor-Commissioner, District of Columbia,
Washington, D.C.

DEAR MAYOR WASHINGTON: On December 4, 1967, I wrote to you urging a review of the six-year public works program of the District Schools in order to expedite the replacement of obsolete school buildings. In my letter, I stated that, with regard to obsolete buildings, "24 are programmed for replacement during the period FY 1969-FY 1974," but I have since found that Lenox and Lenox Annex were on the list of 24 obsolete buildings in error, and should be deleted.

Since writing to you on December 4, I have had an opportunity to review your FY 1969 Budget proposals, and I have had some further thoughts on this matter which I wish to share with you.

The District Schools' Six-Year Construction Program requires completion of 97 projects at an estimated cost of about \$207,665,000. The FY 1969 portion of this program, which was requested by the D.C. Board of Education, was for \$57,727,000 for 50 projects. I note that only 28 projects and \$38,659,000 were approved in the District's proposed FY 1969 Budget. I would strongly urge you to reconsider these school requests, and, after serving many years on the District's subcommittee, I fully realize that you face many requests from all departments. However, it is my firm belief that one of the basic causes of such problems as crime, welfare, and unemployment is that too many of our citizens suffer from a serious lack of education; therefore, the most effective remedy for many of these problems will come from improving educational opportunities.

For these reasons, I feel that every effort should be made to accelerate the completion of the projects in the Board of Education's Six-Year Public Works Program. The proposed FY 1969 Budget delays the completion of this program. Should not the emphasis be reversed? I wish this could be done.

I do not consider myself competent to make specific proposals for accelerating completion of this six-year school construction program. However, I would urge that you review all budget priorities most carefully to determine to what extent you can complete the school construction program within less time, in perhaps four years. How this can be done is a matter for the appropriate District Government and school officials to determine. Simply stated, my concern is that education receive the highest possible priority, consistent with your other urgent requests. I am convinced that, to the extent you can expedite achievement of a model public school system in the Nation's Capital, you will be reducing the incidence of these other serious problems of this city. I am sure you agree with me concerning this objective.

I will appreciate your careful consideration of this request. Again, may I commend you on your work, to date, in your new appointment.

Sincerely yours,

ROBERT C. BYRD,
U.S. Senator.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued December 14, 1967
For actions of December 13, 1967
90th-1st; No. 204

CONTENTS

Aging.....17	Food for India.....9	Pay raise.....8
Air pollution.....12,22	Foot-and-mouth	Personnel.....8,42
Appropriations....14,19,20	disease.....13,34	Poverty.....14,19,20,33
Asian Development Bank..18	Foreign aid.....1,18	Radiation control.....28
Bulk commodities.....41	Foreign trade.....30,34	Reclamation.....40
CCC reserves.....23	Government operations...25	Recreation.....15
Census.....38	Grain reserves.....23,35	Security programs.....42
Consumers.....4	Lands.....5	Social security.....6,21
Cotton.....5,32	Legislative	Supplemental
Economy.....10,27,29	accomplishments.....7,26	appropriations..14,19,20
Education.....2,19	Legislative program.....19	Taxation.....29,36
Electrification.....24	Meat imports.....34	Transportation.....41
Expenditures.....11	OEO.....14,19,20	Water resources.....31,37
Farm economy.....27	Oil and gas leases.....3	
Fisheries.....39	Opinion poll.....16	

HIGHLIGHTS: Senate committee reported supplemental appropriation bill. House received conference report on foreign aid appropriation bill. Several Reps. introduced and discussed measure urging embargo on meat imports from countries with foot-and-mouth disease.

HOUSE

1. **FOREIGN AID.** Received, and several Representatives discussed, the conference report on H. R. 13893, the foreign aid appropriation bill (H. Rept. 1044). pp. H16889-90, H16844, H16927-8
2. **EDUCATION.** Representatives Gibbons and Ashbrook were appointed as additional conferees on H. R. 7819, the elementary and secondary education bill. p. H16839

3. OIL AND GAS LEASES. Conferees were appointed on S. 1367, to soften, in certain circumstances, some of the rigors of present law providing for automatic termination of a Federal oil and gas lease and thus to obviate the need for congressional examination of numerous bills to relieve individual lessees from the consequences of failure to make such payment. Senate conferees have not been appointed. p. H16839
4. CONSUMERS. The Banking and Currency Committee reported with amendment H. R. 11601, the consumer protection bill (H. Rept. 1040). p. H16966
5. COTTON; LANDS. Conferees were appointed on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline Co., Ark., to the Dierks Forests, Inc., and to provide a one-price program for extra-long-staple cotton. pp. H16845-6
Rep. Cabell objected to Rep. Poage's request that the Agriculture Committee be discharged from further consideration of S. 974, to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz. p. H16846
6. SOCIAL SECURITY. Agreed, 390-3, to the conference report on H. R. 12080, the social security bill (pp. H16853-81). Rejected an amendment by Rep. Utt to recommit the conference report to the committee (p. H16879).
7. LEGISLATIVE ACCOMPLISHMENTS. Rep. Smith, Iowa, summarized the activities of Congress for the current year. pp. H16954-6
Rep. McCormack praised and inserted the President's speech before the AFL-CIO convention, and Rep. Gerald Ford criticized the speech. pp. H16840-2
8. PAY RAISE. Rep. Hanley praised the new pay bill as a "landmark in pay legislation." pp. H16945-6
9. FOOD FOR INDIA. Rep. Devine inserted a letter from a constituent, now in India, critical of the administration of the food program in India. p. H16909
10. ECONOMY. Rep. Holifield stated that the economy of "This country is not on the downgrade." p. H16843
11. EXPENDITURES. Rep. Mills expressed his views on the need for direct expenditure controls. pp. H16890-2
12. AIR POLLUTION. Rep. Kupferman inserted an article, "Cleaning Up Our City Air." pp. H16910-2
13. FOOT-AND-MOUTH DISEASE. Rep. Albert inserted this Department's statement setting forth the steps which are being taken to assure that the outbreak of foot-and-mouth disease be kept out of the U. S. pp. H16952-3
14. APPROPRIATIONS. The committee report on H. R. 14397, the supplemental appropriation bill for fiscal year 1968, states: "The Director of the Office of Economic Opportunity testified that the appropriation finally enacted in the accompanying bill will be the amount that the Office will plan its programs within for the full year; in other words, he does not anticipate asking for a supplemental appropriation for 1968. The Committee is in complete agreement with this approach. It definitely is not the intention of the Committee to supplement this appropriation at a later date."

of a "captive" organized labor audience, he attempted to convey to the American people that there are only the "good guys" and the "bad guys," and that all the former are Democrats and all the latter are, you know what.

It was an astounding mish-mash of baloney. The present occupant of the White House seems to be suffering from "foot in mouth disease."

Today, a new wave of gold speculation hit the Paris gold market with over \$12 million worth of trading, that will further deplete our exhausted gold reserves. No mention of this in the President's euphoric speech.

Yesterday the administration declared its intention to tax the advertising revenue of hundreds of nonprofit organizations including the Boy Scouts of America in a move that will have enormous impact on the very cultural heritage of our Nation. No mention of this in the President's speech last night.

The President claimed great credit for a so-called rat bill with no mention of the fact that we already have rat eradication programs coming out our ears, and no mention of the fact that he did not request a single penny of the \$20 million authorization for which he claimed so much credit. No mention of this in his speech last night.

He did not mention the great depression in farm prices. He did not mention the simple mathematics of the political makeup of Congress, which vests responsibility in his own majority party.

He did not mention the inflationary spiral that is a direct result of the most irresponsible fiscal policy and planned deficits of all time.

He did not mention the decisions that have flowed from his own Supreme Court appointees whose latest exercise in folly declares there is no way a known Communist can be barred from employment in vital defense factories.

He did not mention the orgy of crime that affects this Nation as the result of his Attorney General's no-win war against the perpetrators of crime.

President Johnson's use of 40 minutes of prime free air time to berate the Republican Party and the millions of people who call themselves Republicans, and are truly responsibly progressive will go down in history as the biggest fairytale since Orson Welles said the Martians were taking over earth.

PROPOSED EMBARGO ON IMPORTATION OF LIVESTOCK

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HALL. Mr. Speaker, today I have joined in introducing legislation to place a strict embargo on the importation of all livestock and red meat from every country until the exporting country proves to the satisfaction of those departments responsible for such quarantines, that it is free from hoof and mouth disease.

Should this disease, which is now spreading through Great Britain, and which has been reported in the Soviet Union, get into the United States it would be impossible to check.

It is essential that Congress take immediate action to express its concern over this matter and to insist that the Department of Commerce initiate an embargo, until such time as the American people are assured that no avenue exists for importation of hoof and mouth disease. Besides, it will alleviate the impact pro tem of injudicious imports.

A VICTORY FOR THE AMERICAN PUBLIC

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, last night the American public heard the President admit that in spite of all the vast powers expanded under his administration and with substantial majorities in both Houses of Congress, his Great Society was bogging down.

In typical L. B. J. "hell-bent-for-election" style, he blamed the Republicans. He was partially right, for we Republicans have presented a united front against spendorama, waste, the contradictions that characterize the Great Society, and his attempts to stick the taxpayer with the check for his own profligacy.

However, when the President declares that the minority party, outnumbered in both Houses of Congress, has stopped his bandwagon cold—then it is obvious he and his party have let loose of the reins, and that is exactly what has happened on the inflationary scene. L. B. J. dumped the guidelines, he dumped prudence in spending, he dumped the freeze on Federal employees, and now he is trying to dump a bigger tax load on the American public.

The Old Fox of the Federnales said he was not concerned about the polls, but he must be getting a little hard of hearing, for it is the American people who have spoken forcefully to their Representatives and Senators in both parties. It was the American people who elected 47 more Republicans last fall and it is the people who are getting sick and tired of getting stuck for the tab for the Great Society. The people have spoken loud and clear and as representatives of the people, we have listened.

Admitting that a minority party, outnumbered but not outfought, has derailed the "Great Society Express," is in itself a victory for the American public.

GREAT SOCIETY BOGGED DOWN

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute.)

Mr. CEDERBERG. Mr. Speaker, I listened with interest to the President of the United States last night detailing the great progress that we have made under the Great Society. We have made great progress all right. We have a war in South Vietnam in which we are bogged down and do not seem to want to win. Inflation continues unchecked. Crime is so rampant that you cannot safely walk down the streets in the major cities of this country. If that is progress, we need less of it. As far as I am concerned in

listening to the President last night, it is obvious to me that he does not expect Republicans to support him on any tax increase that he is requesting, because all of the spending has been accomplished through the Democratic votes in the House of Representatives. So why should he expect us Republicans to put up our vote to give him the money for his spending. We have a greater deficit than we have ever had before. The average man in this country is not better off under the Great Society than he was before. The average family man is having a difficult time to make ends meet and the end of price increases is not in sight.

Mr. Speaker, I received a little note from Santa Claus the other day, and I would like to read this:

I'm sending this note to remind you
That taxes have taken away
The things I find most essential—
My workshop, my reindeer, my sleigh.
Now I'm making my rounds on a donkey,
He's old and he's crippled and slow;
So, if you don't see me on Christmas,
You'll know I'm all bogged down in the snow.

SUPREME COURT DECISION IS SHOCKING

(Mr. QUILLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. QUILLEN. Mr. Speaker, I am outraged by the decision of the Supreme Court which struck down the section of Federal law banning Communists and members of Communist-action groups from working in defense plants.

This is deplorable and another victory for communism in our country. The Supreme Court has been whittling away at this law for a long time, but its action goes far beyond the bounds of reason.

Ignoring the pleas of the Justice Department and the Congress, the Court, in a 6-to-2 decision, has rushed ahead to provide protection for subversives at the possible expense of our national defense.

How long must we stand by and see the security of this Nation threatened by Supreme Court decisions which soft-pedal the threat of communism not only in vital areas of our defense, but in other areas as well.

I believe the Congress should take immediate action to offset this decision so that our defense facilities will not be infiltrated by those who would overthrow our Government, and I am going to introduce appropriate legislation to do this.

Shocking—Incredible—a shattering blow to our freedom—the Supreme Court's power must be curbed.

APPOINTMENT OF CONFEREES ON H.R. 10864, AUTHORIZING THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN LANDS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, with a Senate amendment, disagree to the Senate amendment, and re-

quest a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. POAGE, GATHINGS, McMILLAN, BELCHER, and TEAGUE of California.

TO AUTHORIZE THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN LANDS TO THE CITY OF GLENDALE, ARIZ.

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Arizona, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CABELL. Mr. Speaker, I object.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN], chairman of the Committee on the District of Columbia.

PUBLIC SCHOOL TEACHERS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12505) to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, line 3, strike out "Commissioners" and insert "Commissioner".

Page 6, line 4, strike out "their" and insert "his".

Page 10, lines 12 and 13, strike out "Commissioners" and insert "Commissioner".

Page 10, line 21, strike out "Commissioners" and insert "Commissioner".

Page 11, line 6, strike out "Commissioners" and insert "Commissioner".

Page 11, line 18, strike out "Commissioners" and insert "Commissioner".

Page 11, line 19, strike out "determine" and insert "determines".

Page 13, after line 15, insert:

"(10) Such Act is amended by adding at the end thereof the following new section:

"Sec. 22. Wherever the term 'Commissioners of the District of Columbia' is used in the first section of this Act and section 16 of this Act, as amended, such term shall be deemed to mean the District of Columbia Council. Wherever the term 'Board of Commissioners of the District of Columbia,' or 'Commissioners of the District of Columbia' is otherwise used in this Act, as amended or supplemented, such term shall be deemed to mean the Commissioner of the District of Columbia."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, this bill passed the House on August 28, 1967. It was amended by the Senate in order to comply with Reorganization Plan No. 3 of 1967, which abolished the Board of Commissioners of the District of Columbia, and transferred its functions to the single Commissioner and District of Columbia Council created under the reorganization plan. No substantive change was made in the bill that passed the House; the Senate amendments are wholly technical in nature and are required to clarify the reorganization changes in the District of Columbia government.

PURPOSE OF THE BILL

The purpose of H.R. 12505 is to amend the District of Columbia Teachers' Retirement Act of 1946 (60 Stat. 875) to permit District of Columbia public school teachers to retire on full annuity at age 55 after 30 years of service, or at age 60 after 20 years of service, thus affording teachers the same benefits as are provided for civil service retirees. The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO ENABLE THE DISTRICT OF COLUMBIA TO RECEIVE FEDERAL ASSISTANCE UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10964) to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That (a) the Commissioner of the District of Columbia (hereafter in this Act referred to as the 'Commissioner') may submit under title XIX of the Social Security Act to the Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the 'Secretary') a plan for medical assistance (and any modifications of such plan (to enable the District of Columbia to receive Federal financial assistance under such title for a medical assistance program established by the Commissioner under such plan.

"(b) (1) Notwithstanding any other provision of law, the Commissioner may take such action as may be necessary to submit such plan to the Secretary and to establish and carry out such medical assistance program, except that in prescribing the standards for determining eligibility for and the extent of medical assistance under the District of Columbia's plan for medical assistance, the Commissioner may not (except to the extent required by title XIX of the Social Security Act) —

"(A) prescribe maximum income levels for recipients of medical assistance under such plan which exceed (i) the title XIX maximum income levels if such levels are in effect, or (ii) the Commissioner's maximum income levels for the local medical assistance program if there are no title XIX maximum income levels in effect; or

"(B) prescribe criteria which would permit an individual or family to be eligible for such assistance if such individual or family would be ineligible, solely by reason of his or its resources, for medical assistance both under the plan of the State of Maryland approved under title XIX of the Social Security Act and under the plan of the State of Virginia approved under such title.

"(2) For purposes of subparagraph (A) of paragraph (1) of this subsection —

"(A) the term 'title XIX maximum income levels' means any maximum income levels which may be specified by title XIX of the Social Security Act for recipients of medical assistance under State plans approved under this title.

"(B) the term 'the Commissioner's maximum income levels for the local medical assistance program' means the maximum income levels prescribed for recipients of medical assistance under the District of Columbia's medical assistance program in effect in the fiscal year ending June 30, 1967; and

"(C) during any of the first four calendar quarters in which medical assistance is provided under such plan there shall be deemed to be no title XIX maximum income levels in effect if the title XIX maximum income levels in effect during such quarter are higher than the Commissioner's maximum income levels for the local medical assistance program.

"Sec. 2. The Commissioner may enter into an agreement (and any modifications of such agreement) with the Secretary under section 1843 of the Social Security Act pursuant to which (1) eligible individuals (as defined in section 1836 of the Social Security Act) who are eligible to receive medical assistance under the District of Columbia's plan for medical assistance approved under title XIX of the Social Security Act will be enrolled in the supplementary medical insurance program established under part B of title XVIII of the Social Security Act, and (2) provisions will be made for payment of the monthly premiums of such individuals for such program."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, this bill passed the House on June 26, 1967. It was amended by the Senate in order to comply with Reorganization Plan No. 3 of 1967, which abolished the Board of Commissioners of the District of Columbia, and transferred its functions to the single Commissioner and District of Columbia Council created under the reorganization plan. No substantive change was made in the bill that passed the House; the amendment is wholly technical in nature and was required to clarify the reorganization changes in the District of Columbia government.

PURPOSE OF THE BILL

The purpose of H.R. 10964 is to authorize the Commissioner of the District of Columbia to take such action and to promulgate such regulations as may be necessary or required to furnish medical assistance to eligible residents of the District of Columbia under the program established by title XIX of the Social Security Act, as added by the Social Security Amendment of 1965—79 Stat. 286; Public Law 89-97—and to permit publicly owned District of Columbia hospitals and other medical facilities to provide health and medical care and services to eligible aged individuals under the hospital insurance benefits program and supplementary medical insurance

DIGEST of Congressional Proceedings

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CONTENTS

Adjournment.....7	Farm credit.....22	President's message.....1
Air pollution.....16,25	Farm loans.....15,21	Property.....22,30
Appropriations.....22	Fees.....29	Purchasing.....27
Commodity exchanges.....8	Fisheries.....13	Reports.....22
Community action.....2	Food marketing.....22	Research.....30
Congressional	Foreign aid.....24	Rural development.....3
reorganization.....4	Forestry.....5,32	Spending.....12
Consumers.....14	Intergovernmental	State-of-the-Union....1,10
Cotton.....9	relations.....20	Taxation.....11
Disasters.....21	Job Corps.....26	Telephone loans.....6
Economic development....22	Lands.....9,28	Water pollution.....22
Economy.....11,12	Legislative program...6,24	Watersheds.....23
Electrification.....22	National park.....18	Wildlife.....17
Executive organization..31	Poverty.....19	

HIGHLIGHTS: Senate committee reported commodity exchange bill.

HOUSE

1. PRESIDENT'S MESSAGE. Rep. Albert and others commented on the President's state-of-the-Union message (pp. H105-8, H112-3, H115, H117, H137, H143). Rep. Purcell commended the President's "pledge to secure for the American farmer the economic justice he...deserves" (p. H137).

2. COMMUNITY ACTION. Rep. Giaimo inserted a report on his investigation into the operations of Community Progress, Inc., a community action program "funded in large part by the Office of Economic Opportunity." pp. H108-12
3. RURAL DEVELOPMENT. Rep. Mize inserted a report by Sen. Pearson on "what is happening to rural America and what needs to be done to reverse present trends which are turning this Nation into urban sprawls of unmanageable proportions." pp. H116-7
4. CONGRESSIONAL REORGANIZATION. Rep. Cleveland urged action on the legislative reorganization bill and inserted a supporting editorial. p. H126
5. FORESTRY. Rep. Leggett commended the "brush-to-grass conversion" programs in the Forest Service regions and explained the process. p. H133
6. LEGISLATIVE PROGRAM. Rep. Albert announced that on Wed. the House will consider the telephone loans bill. pp. H105-6
7. ADJOURNED until Mon., Jan. 22. p. H144

SENATE

8. COMMODITY EXCHANGES. The Agriculture and Forestry Committee reported with amendments H. R. 13094, to make several amendments to the Commodity Exchange Act (S. Rept. 947). p. S20
9. COTTON; LANDS. Conferees were appointed on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline Co., Ark., to the Dierks Forests, Inc. This bill also contain a Senate amendment to provide a price-support program for extra-long staple cotton. House conferees have been appointed. p. S14
10. STATE-OF-THE-UNION. Several Sens. discussed the merits of the President's state-of-the-Union message. pp. S14, S40, S71-2, S88, S122, S124-5, S136-7, S142, S145
11. ECONOMY; TAXATION. Sens. Proxmire and Javits disagreed with the proposed tax increase and inserted several articles on this subject. pp. S58-60, S89-92
12. ECONOMY; SPENDING. Sen. Thurmond called for a decrease in Federal spending and inserted an article on this subject. p. S102
13. FISHERIES. Sen. Fulbright commended the EDA program to provide technical assistance to the fish farming industry. p. S71
14. CONSUMERS. Sen. Morse inserted an article, "The Consumer Interest," which sets forth a theory of an identity of the public interest with the consumer interest. p. S75
15. FARM LOANS. Sen. Morse commended the various loan programs under the Farmers Home Administration. pp. S88-9

process of destruction by the executive, the legislative, and the judicial branches of Government; but the Senator from Georgia has fought a valiant fight against great obstacles to preserve not only the indestructibility of the Union but also the indestructibility of the States.

I do not know of any human being who, in my humble judgment, exhibits in a higher degree the great qualities of intelligence, experience, integrity, and political and moral courage than our good friend, the distinguished senior Senator from Georgia.

I rejoice in this opportunity to pay heartfelt tribute to him, and to wish that the United States will be blessed by having the benefit of his services in the Senate for many years to come.

Mr. COOPER. Mr. President, I join my colleagues in congratulating the senior Senator from Georgia today. The Senate and the country can be congratulated, for his service in this body has been marked by his intellectual powers and his leadership, but, above all, by a high sense of devotion to our country.

We wish for him continued good health and happiness. I am glad to serve with him.

Mr. LONG of Louisiana. Mr. President, it came to my attention that this is the 35th anniversary of the service of RICHARD RUSSELL, of the Senate of the United States. There is no Member of this body who is more completely respected, admired, and loved by all of us than the distinguished Senator from Georgia.

Historian and reporters who cover the Senate invariably agree that he is the "Senator's Senator." RICHARD RUSSELL not only abides by the precedents of the Senate, he makes the precedents. He is patriotically and ardently devoted to the preservation of the fine qualities of the America which our Founding Fathers established here.

For 20 years it has been my privilege to observe and to attempt to guide myself by the example set by the senior Senator from Georgia. When one differs with him one will see that Dick RUSSELL is hard, but will have to agree that he is fair. He is hard because of his brilliant mind and unusual ability to see things as they really are. When he rises to discuss a subject before the Senate he invariably knows the subject better than any Member present. In fact, he not only knows it better, he knows just about every thing there is to know about it.

Like a number of other Members of this body, it was my experience to be both the youngest in years and the most junior in service. Thirty-five years ago the same thing was true of RICHARD RUSSELL. Many is the time that I have gone to him for advice. Never has he failed to counsel me wisely—not merely to suggest that I could follow the course that he had chosen for himself, but to give me the benefit of what he thought was the wisest course that could be followed by one who represented the State from which he came. In giving his counsel he is never unmindful of the political philosophy that should govern the individual that he is counseling.

I can never recall that Dick RUSSELL has ever advised me in error and I can recall ruefully the times I failed to heed the advice he gave me.

Dick RUSSELL will be a legend in the Senate long after every Member here has departed to meet his reward in another world.

It was once my privilege to hear the late Arthur Vandenberg deliver a eulogy about his departed friend William Borah of Idaho. I recall one line from it: "Borah, greater than any President he ever served under." Such a tribute is appropriate for RICHARD RUSSELL—a man who in my judgment should have been President of the United States. I know that I thought so because I supported him for the Democratic nomination as strongly and as fearlessly as I know how to do it. The President of the United States, Lyndon B. Johnson, must have thought so because he joined those of us who supported the Democratic nomination for RICHARD RUSSELL in 1952. The South in general shared such an opinion, because Dick RUSSELL could have mustered the support of the South as a third party candidate for President if he had desired to do so.

On more occasions than one, RICHARD RUSSELL could have been majority leader of the U.S. Senate. He supported other men for this high position. Fortunately for America, Dick RUSSELL did not decline to serve as a committee chairman. The fact that America is strong enough to meet any threat which this Nation might face—the fact that we have been equal to any challenge to our freedom as well as the freedom of our friends and allies throughout the world—stand as a tribute to RICHARD RUSSELL, serving as chairman of the Committee on Armed Services.

As one who served under his chairmanship, I regard him as one of our ablest and our best committee chairmen. In my opinion he is the most talented manager in his field, in either body of the Congress—one who has everything that can be asked for and expected of a truly great American.

Mr. BYRD of West Virginia. Mr. President, several Senators have called attention to this, the 35th anniversary of service in the U.S. Senate by the distinguished, able, and truly great senior Senator from Georgia [Mr. RUSSELL].

I have served in the Senate for 9 years and I am now beginning my 10th year in this great body. During these 9 years I have served on the Committee on Appropriations, on which the great senior Senator from Georgia is the ranking member. This is the beginning of my eighth year on the Committee on Armed Services, of which the senior Senator from Georgia is the distinguished chairman.

At all times in my experience on these committees and in this body I have found the senior Senator from Georgia to be a patient, considerate, and courteous man, always willing to listen to those of us who were junior members of the committees and of this body. I have always found him to be fair and just. I have seen in him a man to whom all other Senators go, with the confidence and

belief and faith that, whether or not he may agree with them in their particular philosophy or viewpoint, they will get from him a frank answer and a calm and reasoned appraisal of whatever question or matter they may wish to present to him.

As the senior Senator from Rhode Island [Mr. PASTORE] so recently stated, the Senator from Georgia is a gentle and kindly man, but one who is constant in his firmness and convictions.

Mr. President, over these years, in serving with and observing this man, I have felt that the Senate has been not only his work but also his study; not only his study but also his life.

If I were to choose any single Senator who, in my humble judgment, best typifies the wisdom, the sagacity, the calm reflection, the dignity, the strength and stability of the Senate as an institution, that Senator would be RICHARD B. RUSSELL, the senior Senator from Georgia.

Mr. President, I can think of no encomium which might be more appropriate than that which was stated by Daniel Webster, one of the great Senators of all time who served in this body over a century ago, when he said:

This is a Senate of equals, of men of individual honor and personal character, and of absolute independence—who know no master and who acknowledge no dictator.

Mr. President, the senior Senator from Georgia, I believe, typifies and exemplifies the kind of Senator who was envisioned by Daniel Webster when he made that statement about this great institution.

I congratulate the Senator from Georgia upon his long service. I congratulate his people on their good judgment in repeatedly returning to the Senate a man who has made the Senate an even greater institution, perhaps, than it was presaged to be by our forefathers who so wisely devised it as the bedrock of our Republic.

I trust that the great Giver of Laws, the source of all knowledge, the One who created the universe, who hung the world upon nothing, and who created man in His own image, will grant many, many additional years of health and service in the Senate to the great Senator from Georgia.

I hope that I can continue to strive, in my small way, to follow in his footsteps. The Senator from Georgia has been a great inspiration to me, as he has been to all Senators. Certainly to me, he has been a prime example. I hope that in some small way I might reflect, after my years of service in the Senate are done, some of the goodness, some of the strength, and a bit of the wisdom which has been exemplified in such full measure by a Senator's Senator, the Honorable RICHARD B. RUSSELL.

Mr. RUSSELL. Mr. President, one would be, indeed, void of any feeling of gratitude were he not touched and deeply moved by the very kind and too generous remarks of my colleagues today.

This auspicious start of my day is a pleasant surprise; it brings a feeling of humility so overwhelming that I cannot properly express the profound appreciation I feel.

No man can enjoy a finer experience than the privilege of service in the Senate of the United States—even for a few days. No institution of our Government has traditions as fine as those of this body. Decisions made here have charted the course of history and some of the outstanding characters this country has produced have played their parts upon this stage.

The greatest compensation which flows from service in the Senate of the United States is the privilege of association with our colleagues from every State of the Nation.

Through the kindness of the people of my native Georgia, I have been privileged to serve in this Senate for 35 years. These years have encompassed the most fascinating and awesome era of our history. It has been a rare privilege indeed to have had the opportunity to live and work so close to the heartbeat of the world. Through so many years, I have had the opportunity to meet and know the great men not only of our Nation, but world figures who have directed the destinies of other lands through many crises, including two world wars. I have within recent months seen great empires that in my youth I thought would last throughout the ages almost crumble into dust.

I have been engaged in many different fields of legislation. As is natural, I have met with both victory and defeat.

I have known the exaltation of success in measures that I felt to be of great benefit to my country and my people. I have also met with frustrations and disappointments. Looking backward down the lane of the past 35 years, memory revives days of victories and others when I have had forced upon me the bitter wine of disappointment and defeat.

Indeed, I often feel that I have had perhaps more than my share of disappointments as I have followed the dictates of conscience and convictions. But, Mr. President, it is such a great experience to have lavished upon me the encomiums and praise of my colleagues that I shall undertake to bury the memories of disappointments and frustrations.

However undeserved they may be, the kind words of the colleagues in this body that I love and respect tend to mitigate and minimize some of my fears for the future.

Little did I expect this morning that the day would open so gladly. I am very happy that nobody consulted the calendar or the record of my entry into the Senate carefully. I might have been denied this wonderful experience because we are several days past the beginning of my 36th year of service.

Let me again express the humility that your words bring to me and my profound gratitude to the people of Georgia for their confidence. I can only say that I have done the best that I could with what I had, that I still have my self-respect and can look in the mirror without feeling the prick of conscience.

To each and every one of you, I extend the profound thanks of a grateful heart.

CONVEYANCE OF CERTAIN LANDS IN SALINE COUNTY, ARK., TO DIERKS FORESTS, INC.

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message from the House on H.R. 10864.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. JORDAN of North Carolina, Mr. AIKEN, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

COMMENTS ON THE STATE OF THE UNION ADDRESS

Mr. SYMINGTON. Mr. President, most if not all of the domestic programs, recommended by the President with great sincerity, are desirable in nature and noble in character. But if we are to continue with these extraordinary overseas expenditures, especially those now found necessary for the Vietnam war, at the same time we attempt to carry out all the domestic programs, the already serious fiscal and monetary problems we face today can only increase; and this in turn will create additional apprehension about the integrity of the dollar. Again, therefore, comes up the question of how much butter we can have along with the guns.

Despite the unprecedented political and military restrictions under which they have been and are forced to wage this war, our soldiers, sailors, and airmen are fighting bravely and well; and from a military standpoint we are making progress. From a political standpoint, however, it is difficult to see any real progress. Only recently the South Vietnamese Government has given us fresh evidence of instability, including disagreements among its own ruling class as well as with us.

Even if the tax increase recommended by the President is approved by the Congress, that increase will not pay half of the annual cost of this war; and we all now know that additional money is essential to carry out those recommended programs so badly needed at home.

It is not the courage or ability of our Armed Forces, or that of our citizenry which is being tried; it is our foreign policy and the capacity of our economy.

Let me again recommend my proposal with respect to this war, therefore, in the same language that the proposal was presented on the Senate floor last Octo-

ber 3, when I came back for the fourth time in the last 2 years, from Vietnam:

Instead of only another cessation in the air attacks against North Vietnam, I propose that this Government announce, as of a certain date, the cessation of all military action in South Vietnam as well as over North Vietnam; also announce that there will be no reinforcements into the theater.

The Government would announce that these policies were being undertaken in earnest hope that their adoption would result in prompt and meaningful negotiations in the interest of a just peace.

At the same time the United States should also announce that, if after this cessation of all military action in South Vietnam, as well as North Vietnam, the North Vietnamese and Viet Cong nevertheless continued hostilities, then the United States would feel free to pursue this war in any manner of its own choosing.

It would appear that the political objectives of the United States have now been achieved through the creation, by means of free elections, of the present Saigon Government; and the military objectives of this Government have never included the invasion of North Vietnam, or the occupation of Hanoi, or the taking over of the Government of North Vietnam.

Concurrently with the above proposed announcement of United States policy—

I recommended on October 3—the Government of South Vietnam should announce its willingness to negotiate with anybody, and offer amnesty to members of the Viet Cong.

Mr. GRUENING. Mr. President, I would like to say to my good friend from Missouri that I commend his proposal very highly. Coming from him, with his vast experience in military matters, as a former extremely able Secretary of the Air Force, I think his proposal should carry great weight. If those in authority are really sincere in wanting to make peace, which they so frequently profess without results, they will not only give his recommendation serious consideration, but act upon it.

Mr. SYMINGTON. I thank the able Senator for his undeserved kind comments.

NONPROLIFERATION OF NUCLEAR WEAPONS TREATY

Mr. PASTORE. Mr. President, on May 17, 1966—nearly 2 years ago—the Senate passed Senate Resolution 179, by a vote of 84 to 0.

Senate Resolution 179 was a resolution for nonproliferation of nuclear weapons which carried the following words:

Resolved, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in the interest of peace for the solution of nuclear proliferation problems.

As the sponsor of that resolution, I am particularly pleased today with the excellent news received from Geneva, where the International Disarmament Conference is meeting. After many long months of hard, difficult negotiations, the United States and the Soviet Union have reached agreement on the language to be incorporated in a proposed nonproliferation

Senate

July 30, 1968

- 5 -

21. TRANSPORTATION. Rep. Schwengel inserted letters stating the National Safety Council has not taken a position on the bill which would increase truck size and weights. pp. H7959-60

SENATE

22. HEALTH; SAFETY. Sen. Hill announced the Labor and Public Welfare Committee has been granted until close of business Sept. 20, 1968, to report H. R. 10790, the proposed Radiation Control for Health and Safety Act of 1968. p. S9817
23. FOREIGN AID. Passed, 46-28, with amendments H. R. 15263, the foreign aid authorization bill (pp. S9864-70, S9872-96, S9901-8, S9910-16). Agreed to the committee amendments en bloc, to be considered in the nature of a substitute, as amended (p. S9914). Agreed, 37-36, to Fannin-Murphy amendment making aid to education funds available in impacted areas in the U. S. through certain uncommitted foreign aid funds (p. S9896); and the Monroney amendment to transfer \$5 million from military aid to U. N. Development Fund to develop farming and small-scale industry in the underdeveloped areas (p. S9914). Rejected, 16-61, a modified Moss amendment to increase by \$50 million authorization for Development Loan Fund and earmarking this increase for purchase by recipient countries of goods used directly in agricultural development (p. S9864); and by 13-62, the Clark amendment to restore House committee figures on economic aid and to restore AID administrative expenses (p. S9911). Conferees were appointed (p. S9916). House conferees have not been appointed.
24. APPROPRIATIONS. Began consideration of H. R. 18785, military construction appropriations (pp. S9916-7, S9922-5) This bill includes funds for repayment to the Commodity Credit Corporation for remaining indebtedness for housing constructed in foreign countries with foreign currencies derived from the sale of surplus commodities. Agreed to committee amendments en bloc to be considered as original text for the purpose of amendment (p. S9925).
25. POVERTY. Sen. Montoya commended USDA's administration of food distribution programs and called for a "partnership" between Federal, State, and local governments to reach needy persons. pp. S9835-6
26. COTTON; LANDS. Received and agreed to (July 30) the conference report on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline Co., Ark., to the Dierks Forests, Inc., which contains a Senate amendment to provide a price-support program for extra-long staple cotton (H. Rept. 1826). The conferees recommended that the House recede from its disagreement to the Senate amendment relative to extra-long staple cotton with an amendment. Sen. Ellender stated that "The Senate amendment provided for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton would be more in line with the price of upland cotton, and would move into the market instead of into the hands of Commodity Credit Corporation. The Senate amendment also provided for a method of disposing of surplus stocks and increasing acreage allotments. The conference substitute adopts all of the provisions of the Senate amendment except one, which would have increased the national acreage allotment for the 1968 crop by 6,800 acres" (pp. S9762-3).

27. EDUCATION. Sens. Bible and Javits called for immediate action on the supplemental funds for schools assistance in federally impacted areas. p. S9842
28. TRANSPORTATION. Sen. Magnuson inserted the remarks of Sen. Morse on the "land-bridge concept and its long-range impact on this Nation's transportation network." pp. S9830-1
29. WATER POLLUTION. Sen. Curtis inserted Sen. Hansen's statement and a related editorial on guidelines regarding water pollution. p. S9848
30. FOREIGN POLICY. Sen. Hatfield inserted Rep. Horton's speech calling for some "consistency and direction to our present policy of reacting to foreign initiatives." pp. S9857-8
31. PERSONNEL CEILINGS. Sen. Williams, Del., said the "administration deliberately padded the public payroll...immediately prior to his signing the tax increase legislation" and that "the Agricultural Department added 8,842 employees in June." pp. S9870-1
Sen. Bennett stated that "3,173 persons were added to the Federal payrolls for every single day of the month" of June. pp. S9871-2
32. LEGISLATIVE PROGRAM. Sen. Mansfield announced that following the foreign aid authorization bill the Senate will consider the military construction bill. p. S9915

EXTENSION OF REMARKS

33. OPINION POLL. Reps. Shriver, Andrews, N. Dak., Winn, and Schadeberg inserted the results of opinion polls containing items of interest to this Department. pp. E7157-8, E7162-3, E7191, E7195
34. FORESTRY. Sen. Muskie inserted an article on Austin Cary who was Maine's "pioneer forester." pp. E7158-60
Rep. Long, Md., inserted an article on the necessary utilization of America's forests. p. E7194
35. HUNGER. Rep. Dow inserted articles on the urgent need for relief to starving Biafrans. pp. E7163-5
36. FARM LABOR. Rep. Leggett inserted an article on welfare programs recently started to aid the children of migrant workers. pp. E7166-7
37. TRADE. Rep. Dent spoke on the need to reevaluate our trade policies because of their tendency to undermine our own workers and products. pp. E7169-70
38. FOOD STAMPS. Reps. Dingell, Saylor, and Cohelan spoke in support of the amendment to the food stamp authorization which would authorize the expenditures of such sums as are necessary for the next four fiscal years. pp. E7171-2, E7172, E7182

EXTRA-LONG-STAPLE COTTON, DIERKS FORESTS

JULY 31, 1968.—Ordered to be printed

Mr. POAGE, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 10864]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10864), to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SEC. 4. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

“(b)(1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such succeeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: Provided, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

“(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths

inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section."

SEC. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words "except that", and substituting in lieu therefor the following: "notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national

acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

SEC. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

"(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

"(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year."

SEC. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: Provided, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall

be offered for sale in an orderly manner and so as not to affect market prices unduly."

SEC. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968.

And the Senate agree to the same.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, H.R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, submit the following statement and explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

As passed by the House of Representatives, the bill authorized the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc. The Senate amendment to this bill added provisions amending the extra-long-staple cotton program. The Senate amendment provided for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton would be more in line with the price of upland cotton, and would move into the market instead of into the hands of Commodity Credit Corporation. The Senate amendment also provided for a method of disposing of surplus stocks and increasing acreage allotments.

The conference substitute adopts all of the provisions of the Senate amendment except one, which would have increased the national acreage allotment for the 1968 crop by 6,800 acres. Because the crop has been planted since the Senate adopted this amendment and is now almost ready for harvest, this provision is no longer appropriate and the substitute properly strikes it out.

The committee of conference was mindful of the fact that both Houses have now passed H.R. 10915 which prohibits imports of extra-long-staple cotton from countries which have severed diplomatic relations with the United States and which directs that, notwithstanding any other provision of law, the Secretary shall give domestic producers the opportunity to produce an amount of extra-long-staple cotton, equal to the reduction in imports resulting from the enactment of H.R. 10915.

The conference agreement on H.R. 10864 will not in any way diminish the effect of the provisions of H.R. 10915 when that bill becomes law, or in any way interfere with the right of domestic producers to have the opportunity to produce and to receive price support on the quantity of extra-long-staple cotton provided for therein. The acreage to produce such cotton is in addition to that acreage which would otherwise be established under section 347 of the Agricultural Adjustment Act of 1938, as amended, if H.R. 10915 had not been enacted. The extra-long-staple cotton produced from the acreage made available under H.R. 10915 will be eligible for price support at the same level

and rate of price support as that accorded cotton produced within the regular allotment, and the acreage provided pursuant to H.R. 10915 shall not be included in determining the price-support payment factor under section 101(f) of the Agricultural Act of 1949, as amended.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

○

titude and approach by those who seek to eliminate a chronic hunger in America. If chronic hunger is to be eliminated, minimum Federal standards of food program performance must be established at the State and county level. Any such standards must endorse imaginative outreach. Any such standards must have as their primary goal the feeding of the poor, and not be diverted by other pre-occupations.

Witnesses declare that the Federal Government has not approached the problem of meeting basic human needs for food and other necessities of life from the standpoint of human welfare; that our food programs for the poor are byproducts of farm policy. Secretary Freeman pointed out that the direct distribution program, is in the process of being replaced by the food stamp program.

However, families with incomes from \$500 to \$2,000 per year seemed to be adversely affected by the food stamp formulas; both as to percentage of income required to be allocated to the food budget—37 to 50 percent—and to volume of food that was purchasable under the monthly budget. Repeated reference was made to the unrealistic assumption that a family living at these destitute levels could save a sufficient proportion of their income for a once-per-month food stamp purchase. Many families testified that they had no income at all and could not pay the minimum amounts for food stamps.

The committee heard from witnesses who contended that while the national school lunch program helps feed 18 million children, only 2 million poor children get substantially free lunches under this program. Secretary Freeman admitted that another 2 to 4 million poor children should get this assistance. The absence of school lunch programs in many of the Nation's slum schools was particularly deplored.

Testimony showed that the direct distribution program was, in fact, being phased out where communities accepted the food stamp program. But testimony also proved that a large number of counties had neither program, and that there was a noticeable drop in participation by the poor when a county switched from commodities to food stamps because of a lack of income to buy stamps.

Senate Resolution 281 calls upon the executive branch to immediately meet the food, medical, and related basic needs of the Nation's poor to the fullest extent. Testimony demonstrated that the executive branch, were it to use its existing powers in an imaginative and bold manner, could accomplish much of this goal. Since executive restraints are inferred from past congressional actions and testimony, the House and the Senate need to clarify the determination of this country to eliminate widespread and chronic hunger and malnutrition.

Therefore the Committee on Labor and Public Welfare recommends that the Select Committee on Nutrition and Human Need be established and given the power to subpoena, hold hearings, and employ staff, and to report back to the Senate legislative recommendations to assure a coordinated program or pro-

grams which will assure every American adequate food, medical assistance, and other related basic necessities of life and health.

In this respect, I would hope that the select committee would include in its studies and deliberations:

The effectiveness and delivery of existing Government food programs, and their costs to the Government and to the poor;

Educational aspects of malnutrition—the need for nutrition education and the possible use of vocational education and new careers programs for this purpose; also changes needed in medical curriculum to advance knowledge of malnutrition and its effects and relevance to other medical problems;

Delivery of health services to the poor and the attention given to aspects of malnutrition by the Public Health Service, the OEO neighborhood health centers, and other health programs;

Surveys of hunger and malnutrition—how well are present and on-going surveys covering the issues and what is needed in addition;

Standardization of eligibility for needed food assistance to the poor. How can this be accomplished given the problems of different intergovernmental eligibility standards between Federal, State and county units;

Streamlining the legislative process so that comprehensive consideration of nutritional needs and congressional oversight on a coordinated basis can become a reality.

The Committee on Labor and Public Welfare recommends that the select committee itself, after organizing, electing a chairman, and reviewing the task assigned to it, should determine the extent of staff, budget, and committee powers it will require and then present its own request to the Senate for funds and authorities.

Mr. President, the resolution as reported from the committee calls for the select committee to report back to the Senate and terminate its activities not later than the opening of the 91st Congress. Faced with the realities of our heavy Senate schedules, I do not believe that this target date will give the select committee time for adequate implementation of its task.

Mr. President, I ask unanimous consent that the resolution be amended by striking out, on page 3, line 7, the words "the opening of the 91st Congress" and substituting therefor "not later than June 30, 1969." The purpose of this amendment is to give the committee created by the resolution appropriate time to prepare its report and report back to the legislative committees of the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is agreed to.

Mr. CLARK. Mr. President, now I yield to the Senator from Arizona [Mr. FANNIN].

Mr. FANNIN. Mr. President, first, I commend the distinguished Senator from Pennsylvania for his leadership in this field and for his work on this resolution.

Mr. President, on behalf of the senior

Senator from Illinois [Mr. DIRKSEN], I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. FANNIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, strike everything after "the" in line 6 through line 14 and insert in lieu thereof the following: "appropriate committees of the Senate and terminate its activities not later than June 30, 1969. Such report may contain such recommendations as the Committee finds necessary to establish a coordinated program or programs which will assure every United States resident adequate food, medical assistance, and other related basic necessities of life and health and shall in addition contain appropriate procedures for congressional consideration and oversight of such coordinated programs."

Mr. FANNIN. Mr. President, the resolution in its present form directs the select committee to report back to the floor of the Senate legislation necessary to establish a coordinated program. This amendment provides for orderly procedure. It directs the select committee to make its report to the appropriate committees of the Senate rather than to the Senate. In addition, this amendment specifies that the report contain "such recommendations as the committee finds necessary to establish a program." The original text required that legislation be reported.

It is my understanding that this amendment is acceptable to the managers of the bill.

Mr. CLARK. Mr. President, if the Senator will yield, I am happy to accept the amendment. It was always our thought—perhaps the language is inartistic—that the committee would not make recommendations directly to the Senate, but, on the contrary, would report to the regularly constituted committees of the Senate, so that those recommendations could be considered by them.

Mr. FANNIN. I thank the Senator.

Mr. CLARK. I am prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments, as amended.

The amendments, as amended, were agreed to.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask that there be a vote on adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 281), as amended, was agreed to, as follows:

S. RES. 281

Whereas it has been demonstrated that every American does not have the food, medical assistance, and other related necessities essential to life and health; and

Whereas surveys conducted by Government agencies and responsible groups of citizens show that, in spite of America's abundance of food, fiber, and other resources, our Federal food programs fail to reach many of the citizens lacking adequate quantities and/or quality of food, which may result in the lifetime impairment of children mentally and physically, and in unnecessary disease, suffering, and premature deaths among both young and adults; and

Whereas restricted use of programs authorized by Congress, reversion of funds, divisions of responsibility and authority within Congress and administrative agencies, unwise regulations and other obstacles impede and frustrate efforts to banish starvation and want for necessities among desperately disadvantaged poor within our Nation: Now, therefore, be it

Resolved, That the President, the Department of Health, Education, and Welfare, the Office of Economic Opportunity, the Department of Agriculture, the Bureau of Indian Affairs, and any and all other agencies with applicable authorities shall use to the fullest possible their authorities under the following existing laws, the Elementary and Secondary Education Act, the Johnson-O'Malley Act, section 32 of the Agricultural Act of 1935, the Agricultural Act of 1949, Emergency Food and Medical Services Amendment to the Economic Opportunity Act, the Food Stamp Act of 1964, the National School Lunch Act of 1946, and all other authorities for child aid, medical assistance, and relief programs, to meet immediately the food, medical, and other related basic needs of the Nation's poor to the fullest extent possible; and be it further

Resolved, That there is established a select committee of the Senate composed of three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on Agriculture and Forestry, and two majority and one minority Members of the Senate appointed by the President of the Senate from other committees, to study the food, medical, and other related basic needs among the people of the United States and to report back to the appropriate committees of the Senate and terminate its activities not later than June 30, 1969. Such report may contain such recommendations as the Committee finds necessary to establish a coordinated program or programs which will assure every United States resident adequate food, medical assistance, and other related basic necessities of life and health and shall in addition contain appropriate procedures for congressional consideration and oversight of such coordinated programs.

The preamble was amended, so as to read:

Whereas it has been demonstrated that every American does not have the food, medical assistance, and other related necessities essential to life and health; and

Whereas surveys conducted by Government agencies and responsible groups of citizens show that, in spite of America's abundance of food, fiber, and other resources, our Federal food programs fail to reach many of the citizens lacking adequate quantities

and/or quality of food, which may result in the lifetime impairment of children mentally and physically, and in unnecessary disease, suffering, and premature deaths among both young and adults; and

Whereas restricted use of programs authorized by Congress, reversion of funds, divisions of responsibility and authority within Congress and administrative agencies, unwise regulations and other obstacles impede and frustrate efforts to banish starvation and want for necessities among desperately disadvantaged poor within our Nation: Now, therefore, be it

Mr. CLARK. Mr. President, I move that the vote by which the resolution was adopted be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR SECRETARY OF AGRICULTURE TO CONVEY CERTAIN LANDS IN SALINE COUNTY, ARK., TO THE DIERKS FORESTS, INC.—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10864), to authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 4. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(b)(1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such suc-

ceeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: *Provided*, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

"(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section."

"SEC. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words 'except that', and substituting in lieu thereof the following: 'notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted

to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection.

"SEC. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

"(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

"(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year."

"SEC. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: *Provided*, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the

Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.'

"SEC. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968."

And the Senate agree to the same.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. MCMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, this is a conference report which all the conferees signed.

As passed by the House of Representatives, the bill authorized the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc. The Senate amendment to this bill added provisions amending the extra-long-staple cotton program. The Senate amendment provided for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton would be more in line with the price of upland cotton, and would move into the market instead of into the hands of Commodity Credit Corporation. The Senate amendment also provided for a method of disposing of surplus stocks and increasing acreage allotments.

The conference substitute adopts all of the provisions of the Senate amendment except one, which would have increased the national acreage allotment for the 1968 crop by 6,800 acres. Because the crop has been planted since the Senate adopted this amendment and is now almost ready for harvest, this provision is no longer appropriate and the substitute properly strikes it out.

As I have stated, the conferees of both Houses were unanimous in their agreement. I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

U.S. GRAIN STANDARDS ACT— CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15794) to provide for U.S. standards and a national inspection system for grain, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15794), to provide for United States standards and a national inspection system for grain, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered (15).

That the House recede from its disagreement to the amendments of the Senate numbered (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (16), (17), (18), (19), (20), (21), (22), and (23); and agree to the same.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
JOSEPH M. MONTROYA,
GEORGE D. AIKEN,
MILTON R. YOUNG,
J. CALEB BOGGS,

Managers on the Part of the Senate.

GRAHAM PURCELL,
THOMAS S. FOLEY,
FRANK A. STUBBLEFIELD,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, this bill generally revises the U.S. Grain Standards Act. The Senate made 23 amendments to the House bill, mostly of a minor nature. They are really only technical amendments. The conference report adopts all of the Senate amendments, except one.

The Senate amendment not agreed to would have permitted the Secretary of Agriculture to withdraw inspection service for commission of repeated or flagrant violations of section 13 of the act. The House bill permitted such withdrawal for conviction of any violation of section 13. The Senate conferees agreed to the House language with the understanding that the statement of managers on the part of the House would make it clear that withdrawal of service could follow upon conviction without awaiting the conclusion of appeals from such conviction, and could be effective so long as the conviction stood.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

WHY BE A CHRISTIAN?

Mr. STENNIS. Mr. President, at a recent meeting of the Senate Breakfast Group in the Senate restaurant, the Senator from Arizona [Mr. FANNIN], a member of our group, presented a most timely and inspiring message entitled "Why Be a Christian?" Senator FANNIN's fine character and deep spiritual insight

lends added value to his words; that this message may be shared with the general public, I ask unanimous consent that Senator FANNIN's remarks on that occasion be printed in the RECORD:

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

WHY BE A CHRISTIAN?

There was a time in America when discussion entitled, "Why be a Christian," would have been inappropriate and irrelevant. Not too long ago no one asked that question.

We were born into homes that assumed the Christian way was the way, the only way. People who lived as our neighbors who didn't go to church were considered out of step. It was shocking to hear a person ask the question, "Why be a Christian?" We weren't shocked often—because the question was asked so seldom.

That day has passed. Although we here this morning may not agree, high school, college and young adults show us "Why be a Christian?" is a very "alive" question.

There are some cynical persons of all ages who quite frankly say the whole business of believing in God and trying to follow a Man who lived 2000 years ago is a combination of absurdity and superstition. They never ask—what is life? Is there a Supreme Being?

Even in churches where people are concerned rather than cynical, the question is being faced as never before—"Why be a Christian? Aren't there other ways that are just as sensible—perhaps even superior to Christianity?"

We should not be afraid of the question. Perhaps we should encourage it in church and in our everyday discussions. Isn't our Christian faith strong enough to stand close scrutiny and probing inquiry? I think it is.

There are many ways one could approach the question, but since we are all persons who want practical answers to problems of living, I want, today, to present what seems to me to be some practical reasons for *being a Christian*. For easy remembrance we will call the answers the four H's.

The Christian life is:

Happier.

Harder.

Holler.

And more hopeful than any other life.

In the first place the Christian life is a happy way of living. "Well, now," some say skeptically, "I find it hard to believe. Indeed, I might as well be frank and say that I don't believe it is necessarily so. To me the Christian life is demanding, restricting and forbidding. You may think of some particular individual who is a worthy Christian. But he may have other characteristics that preclude happiness."

Well, it is true that some people who call themselves Christians are not happy people. Their religion is a dreary affair—no joy—no spirit of radiancy.

What would you consider to be the greatest enemies of happiness? Are they not these: worry, boredom and self-centeredness?

Worry—think of the multitudes who are laden by worry, overwhelmed and overburdened with a vague kind of gloom, looking for the worst to happen, no reserves of inner peace, half hypnotized by anxiety.

Christianity gives hope and understanding to many. People who worry, worry sometimes about things that have already happened. That's really rather foolish when you think of it. For good or ill, yesterday's decisions and actions are past and we cannot recall them.

We can learn from mistakes; we sometimes are better equipped because of mistakes. There are lots of things that can be done with the past, but it certainly does no good to worry about it.

Then there are those who worry about things which will never happen. You re-

member the story of the old maid, who, living for thirty years in solitary bliss, always ceremoniously looked under her bed before she retired to see if a burglar were lurking in the dark. Dr. Norman Vincent Peale suggests that had she found one, she would have fainted, not from fright but from surprise.

How does the Christian consider worry? It's foolish to worry. God is with you—it is His world. We are in His hands—in this world and in any other that is to come. Even though the worst should happen, even though our whole scheme of things collapse, God's scheme does not collapse, and nothing, literally and absolutely nothing, can remove us or our loved ones from His keeping.

There is self-centeredness—another enemy of inner happiness. Christianity again can give you a better perspective so that you are no longer the slave of self. We have all heard it said—no one is perfect. It is also true that people can experience a growth out of self-centeredness as more and more they find the power to live for something and someone higher and deeper and more important than one's self. Becoming Christian is a matter of making a decision—committing one's life to Christ—believing what Jesus Christ says—standing up for Him and relying upon and obeying God.

While no man has ever measured up to the stature of Jesus, many a man and woman over the centuries has been able to say because of Him . . . "Whereas once I was blind, now I see; whereas I was a slave, I now am free." Freedom from self comes from losing oneself to Christ. That is Christianity.

If we stopped there, however, that could be a very selfish reason for being a Christian—merely for the happiness it gives. Consider a second point of a totally different kind. The Christian life is *harder* than any other.

Some may say, "But I always thought Christianity was easy—just sign your name, accept a creed, join the church, go now and then, an occasional prayer."

The truth is that modern Christianity doesn't cost some people anything. It is possible to turn to spiritual things for shelter and comfort, but for nothing else. This is what Christianity means to multitudes—a peace of mind cult, an insurance policy. Many such people do what is very possible to do—worship Jesus, but not obey Him. Like the person who attends dozens of religious meetings but who is impossible to live with, or the one who loves to go to church because it makes him feel better, but who does nothing creative to make this world a better place in which to live in between church times.

Some types of religion can be easy; but not the real Christianity. It can and always is desperately difficult to do the genuinely Christian thing. Think how Jesus tightened up the ethical standard. The world used to say, "If you don't kill, steal, nor break the social code, that is all that is required of you." Then Jesus came. "I say no," declared Jesus. "If you have an angry thought, one hidden, lurking resentment against your brother, you need to confess it, for to hate your brother is to sin against God."

The world said, if you don't break the seventh commandment, your character will stand. Jesus came. "I say no. For your impure thoughts—even if they are never more than thoughts—are sins against God."

The world said, if you do just what you are paid for in this life, if you go the mile that duty demands, you can feel content. The Pharisees were very content. But Jesus said, "My way begins on the other side of duty. Go the extra mile."

I know of myself that there is a part of everyone that wants the easiest way possible. But I know, also, that the deeper part, the better part of men and women and children wants something more. We are bigger than that. We admire adventure in others; at our deepest we want adventure. Each of us wants a life that will keep us

on the stretch. We admire men who stand for things worth standing for. We want our lives to count for something.

Difficulties have been described as "God's errands" and being sent upon them is proof of God's confidence. Being a Christian, because it is harder than *not* being a Christian, rewards us in proportion to the "overcoming" we do along the way.

In addition to being happier, and harder than any other, the Christian life is holier than any other. This word holy, admittedly, is a word for which many people today have little liking. Ask the average young man if he would care to be known as a holy person and probably his reaction will be one of two things—he will either laugh or be horrified. Holy? No thank you. Anything but that.

Granted, the word may have fallen into bad company and come out with a reputation that is less than clear. The original meaning is worth reviewing.

The word holy is derived from the old English word for the idea of being made whole. So when we are made holy we become the complete person God originally intended. This "wholeness," or holiness, the psychologists sometimes call an "integrated personality."

Theologians describe holiness as being set apart for the work of God, and holiness is the one attribute of God by which He most desires to be known. It is His trademark, so to speak. When we are joined to God, through the Lord Jesus Christ, then we take on those identifying characteristics—the "family likeness" if you will. The essence of this "wholeness" is the bringing into balance and conformity of every aspect of our lives so that it glorifies God.

No more than we labored for our natural family likeness can we labor for our spiritual family likeness. As we are born into one, so must we be born into the other. But being in the family does not erase the individual. It helps him. Can you think of any greater need of any greater number of people today than that—something to pull life together and integrate it—to deal with the inward conflicts that damage spiritual health so seriously; something to eliminate the discords and repressions and inferiorities and complexes, and to bring everything into harmony and unity of strong, clean, vigorous health—emotional and moral. If every other generation needed holiness, we need it too. This is one of the reasons why Jesus has been called the great physician. He alone can produce this kind of health. He gives life a new purpose. He fills life with a new power.

A new purpose; that is to glorify God. "Seek ye first the Kingdom of God." That's something worth living for. Many people have no purpose in living. They grow up, get educated, get married, have children; the children grow up and if they live through all that, then they begin to ponder, "What am I living for?"

A new power; a vitalizing, supernatural strength that can flood a man's being and send him out like a conqueror to smash his most stubborn besetting sin with the cry upon his lips, "I can do all things through Christ who strengthens me."

The trouble with us in our depressing, and discordant hours is that we are divided. We can't decide what we want most; we are on and off; one day this way, the next, that.

Finally, one last attribute of the Christian life. His way is hopeful. The reason that we can be hopeful about life is that we have the faith to believe in what we cannot see. There is a visible world, the apostle Paul said, and there is an invisible world. We believe in the invisible world, the spiritual, the supernatural.

Thomas Edison when he was but a boy appeared to some people to be a dull and uninteresting young boy. His teachers suggested that his mother take him out of school—according to their way of looking at things, he didn't have it. But Tom's mother saw

House

July 31, 1968

- 3 -

7. FOOD. A subcommittee of the D. C. Committee approved for full committee action S. 2012, to authorize appropriations to pay salaries and related costs of operating the Office of Central Management of the Food Services Department in the D. C. public schools; and to provide for appropriations to pay for lunches furnished to all needy elementary and secondary public school children whose parents are not recipients of public welfare. p. D768
8. INTERGOVERNMENTAL COOPERATION. The Government Operations Committee ordered reported (but did not actually report) H. R. 18826, the intergovernmental cooperation bill. p. D768
9. GRAIN INSPECTION. Received the conference report on H. R. 15794, to revise the Grain Standards Act (H. Rept. 1827) (p. H7955). The conference report adopts all of the Senate amendments to the House bill, mostly of a "technical" nature, with the exception of the Senate amendment which "would have permitted the Secretary of Agriculture to withdraw inspection service for commission of repeated or flagrant violations of section 13 of the act." The Senate conferees agreed to the House language which would have permitted "such withdrawal for conviction of any violation of section 13...with the understanding that the statement of the managers on the part of the House would make it clear that withdrawal of service could follow upon conviction without awaiting the conclusion of appeals from such conviction, and could be effective so long as the conviction stood."
10. DAIRY INDEMNITY. Received the conference report on S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (H. Rept. 1828). p. H7935
11. BUILDING SAFETY. The Education and Labor Committee reported with amendment H. R. 2567, to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects (H. Rept. 1824). p. H7969
12. TARIFF. The Ways and Means Committee reported with amendment H. R. 15003, to amend the U. S. Tariff Schedules so as to prevent the payment of multiple customs duties by U. S. owners of racehorses purchased outside of the U. S. (H. Rept. 1825), and with amendment H. R. 16552, to amend the U. S. Tariff Schedules with respect to the tariff classification of invert or highest molasses (H. Rept. 1831). p. H7969
13. PERSONNEL CEILINGS. The Ways and Means Committee reported without amendment H. R. 18985, to amend the Revenue and Expenditure Control Act of 1968, to provide a pool of 14,000 additional appointments which may be made without regard to the employee ceilings of that Act (H. Rept. 1832). p. H7969
14. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee approved for full committee action H. R. 12881, to authorize the payment of

allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at a remote worksite, and H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Government employees as a result of administrative error in the application of certain provisions of the Classification Act, the Federal Employees Salary Act of 1964, and other provisions of law. p. D769

15. APPROPRIATIONS. Received the conference report on H. R. 17522, the Depts. of State, Justice, and Commerce, the Judiciary, and related agencies appropriation bill (H. Rept. 1830). pp. H7935-7

Received the conference report on H. R. 18188, Transportation Dept. appropriation bill (H. Rept. 1833). The conferees recommended the restoration of the Senate amendment to strike the obligation limitation of \$26,000,000 on forest highways in section 204 of the House bill, with an amendment that "none of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$29,000,000, exclusive of the reimbursable program, in fiscal year 1969 for 'Forest Highways'." pp. H7939-40

16. COTTON; LANDS. Received the conference report on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., which includes a Senate committee amendment to provide a one-price program for extra-long-staple cotton (H. Rept. 1826). pp. H7933-5

17. RECREATION; POWER; PARKS. The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 18333, to study the feasibility of establishing an Upper Mississippi Valley National Recreation Area; S. 224, to make nonreimbursable the cost of the work which was necessary to rehabilitate the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the Earthquake of 1964; and H. J. Res. 1384, relating to the administration of the national park system. p. D768

18. LEGISLATIVE PROGRAM. Rep. Albert announced that on Thurs., Aug. 2, Rep. Mills may seek to bring up under unanimous-consent request H. R. 18985, to amend the Revenue Expenditure and Control Act of 1968 to provide approval of 14,000 additional appointments (p. H7947); and the "Daily Digest" states that H. R. 15757, the health-manpower bill, H. R. 18209, to amend the Consolidated Farmers Home Administration Act to provide loans to supplement farm income, etc., and H. R. 11618, to prevent the importation of endangered species of fish or wildlife, will be considered (p. D768).

19. FOOD STAMP. Rep. Eckhardt opposed the Teague amendment to the food stamp bill to prevent distribution of food stamps to unionists on strike and students. p. H7895

20. HUNGER. Rep. Gonzalez criticized the CBS television broadcast "Hunger in America" as "far from responsible and far from accurate." pp. H7951-5

EXTRA-LONG-STAPLE COTTON, DIERKS FORESTS

JULY 31, 1968.—Ordered to be printed

Mr. POAGE, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 10864]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10864), to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SEC. 4. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

“(b)(1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such succeeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: Provided, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

“(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths

inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: Provided, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section."

SEC. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words "except that", and substituting in lieu therefor the following: "notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national

acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

SEC. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

"(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

"(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year."

SEC. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: Provided, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall

be offered for sale in an orderly manner and so as not to affect market prices unduly."

SEC. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968.

And the Senate agree to the same.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, H.R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, submit the following statement and explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

As passed by the House of Representatives, the bill authorized the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc. The Senate amendment to this bill added provisions amending the extra-long-staple cotton program. The Senate amendment provided for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton would be more in line with the price of upland cotton, and would move into the market instead of into the hands of Commodity Credit Corporation. The Senate amendment also provided for a method of disposing of surplus stocks and increasing acreage allotments.

The conference substitute adopts all of the provisions of the Senate amendment except one, which would have increased the national acreage allotment for the 1968 crop by 6,800 acres. Because the crop has been planted since the Senate adopted this amendment and is now almost ready for harvest, this provision is no longer appropriate and the substitute properly strikes it out.

The committee of conference was mindful of the fact that both Houses have now passed H.R. 10915 which prohibits imports of extra-long-staple cotton from countries which have severed diplomatic relations with the United States and which directs that, notwithstanding any other provision of law, the Secretary shall give domestic producers the opportunity to produce an amount of extra-long-staple cotton, equal to the reduction in imports resulting from the enactment of H.R. 10915.

The conference agreement on H.R. 10864 will not in any way diminish the effect of the provisions of H.R. 10915 when that bill becomes law, or in any way interfere with the right of domestic producers to have the opportunity to produce and to receive price support on the quantity of extra-long-staple cotton provided for therein. The acreage to produce such cotton is in addition to that acreage which would otherwise be established under section 347 of the Agricultural Adjustment Act of 1938, as amended, if H.R. 10915 had not been enacted. The extra-long-staple cotton produced from the acreage made available under H.R. 10915 will be eligible for price support at the same level

and rate of price support as that accorded cotton produced within the regular allotment, and the acreage provided pursuant to H.R. 10915 shall not be included in determining the price-support payment factor under section 101(f) of the Agricultural Act of 1949, as amended.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

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Fraser
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gonzalez
Green, Pa.
Gross
Hagan
Hamilton
Hammer-
schmidt
Hansen, Wash.
Hardy
Harrison
Hathaway
Henderson
Hollfield
Horton
Hull
Hungate
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kastenmeier
Kazen
Kee
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
McClure
McCulloch
McFall

McMillan
MacGregor
Madden
Mahon
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Miller, Ohio
Mills
Mink
Moorhead
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Pickle
Poage
Podell
Pollock
Price, Tex.
Pryor
Purcell
Quie
Randall
Reifel
Reuss
Riegler
Rivers
Roberts
Robison

Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Roybal
Schadeberg
Scherle
Schwengel
Selden
Shriver
Sikes
Sisk
Skubitz
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Udall
Ullman
Vigorito
Walker
Watts
White
Whitener
Widnall
Willis
Winn
Wright
Wylie
Young
Zablocki
Zwach

NAYS—176

Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Arends
Ashbrook
Bates
Belcher
Bell
Biester
Boland
Bow
Bray
Broomfield
Brown, Calif.
Broyhill, Va.
Buchanan
Burton, Utah
Carey
Cederberg
Chamberlain
Clancy
Clark
Clausen,
Don H.
Clawson, Del.
Cleveland
Cohelan
Collier
Colmer
Conyers
Corbett
Corman
Cowger
Daniels
Delaney
Derwinski
Diggs
Donohue
Dwyer
Edwards, Ala.
Edwards, Calif.
Erlenborn
Eshleman
Farbstein
Feighan
Findley
Fino
Ford
William D.
Friedel
Fulton, Pa.
Gallagher

Gialmo
Gibbons
Gilbert
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Hanley
Hanna
Harsha
Harvey
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hosmer
Howard
Hunt
Hutchinson
Irwin
Jacobs
Joelson
Johnson, Pa.
Karth
Keith
Kelly
King, N.Y.
Kupferman
Lloyd
Long, Md.
McCarthy
McClary
McCloskey
McDonald,
Mich.
McEwen
Macdonald,
Mass.
Machen
Malliard
Marsh
Martin
Mathias, Md.
Meskill
Michel

Minish
Minshall
Mize
Monagan
Montgomery
Morris, N. Mex.
Morton
Mosher
Nedzi
Ottinger
Pelly
Pettis
Philbin
Pike
Pirnie
Poff
Price, Ill.
Pucinski
Railsback
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Rodino
Rogers, Fla.
Rosenthal
Roth
Roudebush
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scheuer
Schneebeli
Scott
Shibley
Slack
Smith, Calif.
Stafford
Staggers
Stratton
Taft
Talcott
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Tuck
Utt
Van Deerlin

Vander Jagt
Vanik
Waldie
Wampler
Watkins
Whalen
Whalley

Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Wilson,
Charles H.
Wolff

Wyatt
Wydler
Wyman
Yates
Zion

NOT VOTING—43

Baring
Barrett
Battin
Blanton
Bolton
Burke, Fla.
Cahill
Cramer
Daddario
Davis, Wis.
Dent
Devine
Dole
Evins, Tenn.
Fallon

Flood
Frelinghuysen
Fulton, Tenn.
Gardner
Goodell
Gude
Hansen, Idaho
Hawkins
Hébert
Herlong
Holland
Karsten
King, Calif.
Kirwan
Lipscomb

Lukens
McDade
Miller, Calif.
Moore
Morse, Mass.
Quillen
Rarick
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Schweiker
Waggonner
Watson

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Dent against.
Mr. Waggonner for, with Mr. Holland against.
Mr. Kirwan for, with Mr. Barrett against.
Mr. Miller of California for, with Mr. Hawkins against.
Mr. Watson for, with Mr. Hansen of Idaho against.
Mr. Dole for, with Mr. Morse of Massachusetts against.
Mr. Quillen for, with Mr. McDade against.
Mr. Davis of Wisconsin for, with Mr. Lipscomb against.
Mr. Rhodes of Arizona for, with Mr. Devine against.
Mr. Burke of Florida for, with Mr. Gude against.

Mr. Blanton for, with Mrs. Bolton against.
Mr. Fulton of Tennessee for, with Mr. Battin against.

Mr. Rarick for, with Mr. Cramer against.

Until further notice:

Mr. Evins of Tennessee with Mr. Moore.
Mr. Fallon with Mr. Cahill.
Mr. Baring with Mr. Lukens.
Mr. Flood with Mr. Schweiker.
Mr. King of California with Mr. Frelinghuysen.

Mr. Daddario with Mr. Goodell.

Mr. Rhodes of Pennsylvania with Mr. Gardner.

Mr. Herlong with Mr. Karsten.

Mr. ST GERMAIN, Mr. HECHLER of West Virginia, Mr. ARENDS, and Mr. ASHBROOK changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3590) to extend and improve legislation for maintaining farm income, stabilizing prices, and assuring adequate supplies of agricultural commodities, strike all after the enacting clause in the Senate bill and insert in lieu thereof the provisions contained in H.R. 17126 as just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. FINDLEY. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORTS ON H.R. 10864, EXTRA-LONG STAPLE COTTON—DIERKS FOREST; H.R. 15794, U.S. GRAIN STANDARDS ACT; AND S. 3638, DAIRY INDEMNITY PAYMENTS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file conference reports on the following three bills: H.R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes; H.R. 15794, to provide for U.S. standards and a national inspection system for grain, and for other purposes; and S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT (H. REPT. No. 1826)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10864), to authorize the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 4. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(b)(1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such succeeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: *Provided*, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

"(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section."

"Sec. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words 'except that', and substituting in lieu therefor the following: 'notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra

long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

"Sec. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

"(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

"(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year."

"Sec. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: *Provided*, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.'

"Sec. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968."

And the Senate agree to the same.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, H.R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc., and for other purposes, submit the following statement and explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

As passed by the House of Representatives, the bill authorized the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc. The Senate amendment to this bill added provisions amending the extra-long-staple cotton program. The Senate amendment provided for lower price-support loans, supplemented by price-support payments, so that the price of this kind of cotton would be more in line with the price of upland cotton, and would move into the market instead of into the hands of Commodity Credit Corporation. The Senate amendment also provided for a method of disposing of surplus stocks and increasing acreage allotments.

The conference substitute adopts all of the provisions of the Senate amendment except one, which would have increased the national acreage allotment for the 1968 crop by 6,800 acres. Because the crop has been planted since the Senate adopted this amendment and is now almost ready for harvest, this provision is no longer appropriate and the substitute properly strikes it out.

The committee of conference was mindful of the fact that both Houses have now passed H.R. 10915 which prohibits imports of extra-long staple cotton from countries which have severed diplomatic relations with the United States and which directs that, notwithstanding any other provision of law, the Secretary shall give domestic producers the opportunity to produce an amount of extra-long staple cotton, equal to the reduction in imports resulting from the enactment of H.R. 10915.

The conference agreement on H.R. 10864 will not in any way diminish the effect of the provisions of H.R. 10915 when that bill becomes law, or in any way interfere with the right of domestic producers to have the opportunity to produce and to receive price support on the quantity of extra-long staple cotton provided for therein. The acreage to produce such cotton is in addition to that acreage which would otherwise be established under section 347 of the Agricultural Adjustment Act of 1938, as amended, if H.R. 10915 had not been enacted. The extra-long staple cotton produced from the acreage made available under H.R. 10915 will be eligible for price support at the same level and rate of price support as that accorded cotton produced within the regular allotment, and the acreage provided pursuant to H.R. 10915 shall not be included in determining the price support payment factor under

section 101(f) of the Agricultural Act of 1949, as amended.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

CONFERENCE REPORT (H. REPT. NO. 1827)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15794), to provide for United States standards and a national inspection system for grain, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered (15).

That the House recede from its disagreement to the amendments of the Senate numbered (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (16), (17), (18), (19), (20), (21), (22), and (23); and agree to the same.

GRAHAM PURCELL,
THOMAS S. FOLEY,
FRANK A. STUBBLEFIELD,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
JOSEPH M. MONTROYA,
GEORGE D. AIKEN,
MILTON R. YOUNG,
J. CALEB BOGGS,

Managers on the Part of the Senate.

STATEMENT

The Managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 15794, to provide for United States standards and a national inspection for grain, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

The amendments of the Senate to the House bill were technical, save and except; (1) an amendment to provide that inspection fees, instead of being deposited as miscellaneous receipts in the United States Treasury, would continue to be placed in a revolving fund for the use of the inspection service in meeting overtime charges in connection with appeal inspections; (2) an amendment to subsection 7(f) to allow the continued operation of more than one inspection agency in any one area which on the date of enactment of the bill has two such agencies, and (3) an amendment of Section 10(a) to allow withdrawal of inspection services upon the commission of "any repeated or flagrant" violation of Section 13 of the Act.

The House receded from its disagreement to the first two amendments above described. In the first instance fees for appeal inspection and Canadian port inspection and proceeds from the sale of samples shall continue to be deposited, as they are presently, in a special fund for the use of the Department in meeting the extra costs of overtime, night or holiday work in connection with appeal inspections. The U.S. Grain Standards Act was amended in 1958 to so provide and the conferees agreed to continue this practice.

Secondly, conferees agreed to the Senate language allowing those areas now having more than one inspection agency to continue the operation of two such services where two were operative on the date of enactment of the bill. At present there is at least one area in the country where two agencies are authorized to operate. The bill as agreed to by

the conferees would prohibit the opening after enactment of more than one inspection agency at any one time for any one area.

The Senate amendment not agreed to would have permitted the Secretary of Agriculture to withdraw inspection service for commission of repeated or flagrant violations of section 13 of the act. The House bill permitted such withdrawal for conviction of any violation of section 13. The Senate conferees agreed to the House language with the understanding that the statement of managers on the part of the House would make it clear that withdrawal of service could follow upon conviction without awaiting the conclusion of appeals from such conviction, and could be effective so long as the conviction stood.

GRAHAM PURCELL,
THOMAS S. FOLEY,
FRANK A. STUBBLEFIELD,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

CONFERENCE REPORT (H. REPT. NO. 1828)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3638), to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

"SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

"SEC. 3. The authority granted under this Act shall expire on June 30, 1970."

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
JOSEPH M. MONTROYA,
GEORGE D. AIKEN,
MILTON R. YOUNG,
J. CALEB BOGGS,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, submit

the following statement and explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

The companion bill in the House, H.R. 17752, would have expired in 1 year, on June 30, 1969. The Senate bill would have expired in 3 years, on June 30, 1971. The conferees agreed on a compromise, expiration in 2 years, June 30, 1970.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, FIS- CAL YEAR 1969—CONFERENCE RE- PORT

Mr. ROONEY of New York, pursuant to previous order, submitted the following conference report and statement on the bill (H.R. 17522) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1969:

CONFERENCE REPORT (H. REPT. NO. 1830)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17522) "making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 15, 20, 21, 26, 31, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 19, 22, 23, 24, 32, 34, 35, 36, 37, and 38; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$31,000,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$8,500,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,200,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,200,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,275,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "\$65,388,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$5,300,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$6,450,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"FEDERAL JUDICIAL CENTER

"Salaries and expenses

"For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$300,000."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$10,750,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$8,750,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$750,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 12, 13, 14, 17, and 18.

JOHN J. ROONEY,
JOHN M. SLACK, JR.,
NEAL SMITH,
CHARLES S. JOELSON,
GEORGE MAHON,
FRANK BOW,
E. A. CEDERBERG,
MARK ANDREWS,

Managers of the Part of the House.

JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
JOHN O. PASTORE,
GALE W. MCGEE,
J. W. FULBRIGHT,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
NORRIS COTTON,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17522) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—DEPARTMENT OF STATE

INTERNATIONAL COMMISSIONS

International Fisheries Commissions

Amendment No. 1: Appropriates \$2,075,000 as proposed by the House instead of \$2,085,000 as proposed by the Senate.

EDUCATIONAL EXCHANGE

Mutual educational and cultural exchange activities

Amendment No. 2: Appropriates \$31,000,000 instead of \$30,000,000 as proposed by the House and \$33,000,000 as proposed by the Senate.

Amendment No. 3: Provides that not less than \$8,500,000 shall be used for payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States instead of \$8,700,000 as proposed by the House and \$8,400,000 as proposed by the Senate.

Amendment No. 4: Provides that not to exceed \$2,200,000 may be used for administrative expenses instead of \$2,000,000 as proposed by the House and \$2,250,000 as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF STATE

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate.

TITLE II—DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Amendment No. 6: Appropriates \$23,598,000 for "Salaries and expenses, general legal activities" as proposed by the House instead of \$24,163,000 as proposed by the Senate.

Amendment No. 7: Appropriates \$39,876,000 for "Salaries and expenses, United States attorneys and marshals" instead of \$39,590,000 as proposed by the House and \$40,545,000 as proposed by the Senate.

Amendment No. 8: Appropriates \$4,200,000 for "Fees and expenses of witnesses" as proposed by the Senate instead of \$3,200,000 as proposed by the House.

Amendment No. 9: Deletes the \$7,500,000 for "Law enforcement assistance" as proposed by the Senate.

Amendment No. 10: Appropriates \$2,275,000 for "Salaries and expenses, community relations service" instead of \$2,200,000 as proposed by the House and \$2,350,000 as proposed by the Senate.

FEDERAL PRISON SYSTEM

Amendment No. 11: Appropriates \$65,388,000 for "Salaries and expenses, Bureau of Prisons" instead of \$64,879,000 as proposed by the House and \$65,638,000 as proposed by the Senate.

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate \$63,000,000 instead of \$69,000,000 as proposed by the Senate.

The amount agreed to provides funds as follows:

Grants for establishment of State planning agencies and development of comprehensive plans.....	\$19,000,000
Matching grants to improve and strengthen law enforcement	29,000,000
Grant and contract awards for student loans and tuition aid.....	6,500,000
National Institute program—grants and contracts and related services and programs.....	3,000,000

Federal Bureau of Investigation program—training programs and assistance, etc.....	\$3,000,000
Administration—all activities.....	2,500,000

Total	63,000,000
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GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment of the Senate with an amendment which will exempt only the Federal Bureau of Investigation from the provisions of Section 201 of Public Law 90-364.

TITLE III—DEPARTMENT OF COMMERCE
ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment of the Senate to provide for the acquisition of one aircraft.

NATIONAL BUREAU OF STANDARDS

Amendment No. 15: Appropriates \$35,000,000 for "Research and technical services" as proposed by the House instead of \$35,500,000 as proposed by the Senate.

OFFICE OF STATE TECHNICAL SERVICES

Amendment No. 16: Appropriates \$5,300,000 for "Grants and expenses" instead of \$5,000,000 as proposed by the House and \$5,600,000 as proposed by the Senate.

MARITIME ADMINISTRATION

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment of the Senate to appropriate \$119,800,000 for "Ship construction".

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment of the Senate to appropriate \$6,700,000 for "Research and development".

FOREIGN DIRECT INVESTMENT CONTROL

Amendment No. 19: Appropriates \$3,000,000 for "Salaries and expenses" as proposed by the Senate instead of \$4,000,000 as proposed by the House.

TITLE IV—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

Amendment No. 20: Appropriates \$2,110,000 for "Salaries" as proposed by the House instead of \$2,207,500 as proposed by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

Amendment No. 21: Appropriates \$43,500,000 for "Salaries of supporting personnel" as proposed by the House instead of \$44,000,000 as proposed by the Senate.

Amendments Nos. 22 and 23: Provide for the increase in the dollar limitations as proposed by the Senate to allow for the employment in grade J.S.P. 9 of additional law clerks for circuit judges.

Amendment No. 24: Appropriates \$11,900,000 for "Fees of Jurors and Commissioners" as proposed by the Senate instead of \$7,900,000 as proposed by the House.

Amendment No. 25: Appropriates \$6,450,000 for "Travel and miscellaneous expenses" instead of \$6,200,000 as proposed by the House and \$6,700,000 as proposed by the Senate.

Amendment No. 26: Appropriates \$1,846,500 for "Administrative Office of the United States Courts" as proposed by the House instead of \$1,861,500 as proposed by the Senate.

FEDERAL JUDICIAL CENTER

Amendment No. 27: Appropriates \$300,000 for "Salaries and expenses" as proposed by the Senate.

House

Aug. 1, 1968

- 3 -

5. WILDERNESS. The Interior and Insular Affairs Committee reported with amendment H. R. 13512, to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount Hood National Forests, Oreg., as wilderness areas (H. Rept. 1838). p. H8112
6. GRAIN INSPECTION. Agreed to the conference report on H. R. 15794, to revise the Grain Standards Act (p. H8023). See Digest 135 for conference report provisions. This bill will now be sent to the President.
7. COTTON; LANDS. Agreed to the conference report on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline Co., Ark., to the Dierks Forests, Inc. The bill contains an amendment to provide a price-support program for extra-long staple cotton. This bill will now be sent to the President. pp. H8023-4
8. APPROPRIATIONS. Both Houses agreed to the conference report on H. R. 18188, the Transportation Dept. appropriation bill, which includes funds for forest highways. This bill will now be sent to the President. pp. H7991-9, S9995-7
Both Houses agreed to the conference report on H. R. 17552, the Depts. of State, Justice, and Commerce, the judiciary, and related agencies appropriation bill, 1969. This bill will now be sent to the President. pp. H7999-8003, S10003-9
Received the conference report on H. R. 18706, the D. C. appropriation bill (H. Rept. 1841) pp. H8003-4
9. FISH AND WILDLIFE. Passed with amendments H. R. 11618, to prevent the importation of endangered species of fish and wildlife into the U. S., and to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law. pp. H8024-9
10. RECREATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 15245, to establish the Flaming Gorge National Recreation Area, Utah and Wyo. p. D775
11. TAXATION. The Ways and Means Committee voted to report (but did not actually report) H. R. 14095, to make certain changes to facilitate the production of wine, and H. R. 17332, regarding taxes on gasoline and oils used for agricultural purposes. pp. D775-6
12. RECLAMATION. The conferees agreed to file a report on S. 1004, authorizing construction and operation of the central Arizona project, Ariz. and N. Mex. p. D776
13. FARM PROGRAM. Rep. Findley commended the subsidy payment-limitation amendment to the farm bill and recommended that Congress terminate the commodity management activities of this Dept., "especially Government buying, selling, and storage of grain." p. H8072

14. EDUCATION. Rep. Mink deplored the lapsing of funds for federally impacted school areas and called on her colleagues to join her in urging the President to reconsider the matter. pp. H8076-7
15. TRADE POLICY. Rep. Brown, Ohio, criticized the nation's trade policy and said we need to take necessary steps to correct the deficit in our balance-of-payments. pp. H8089-94
16. CONSUMERS. Rep. Patman praised and inserted the text of an article "Installment Credit and the Low-Income Consumer: A Case Study." pp. H8100-5
17. COOPERATIVES. Rep. Friedel inserted an editorial explaining the objectives of S. 752, the recently enacted so-called agricultural cooperative trucking bill. pp. H8107-8

SENATE

18. TRANSPORTATION. The Commerce Committee reported without amendment H. R. 159, to establish a Federal Maritime Administration as an independent agency (S. Rept. 1495). p. S9931
19. TAXATION. The Finance Committee reported with amendments H. R. 2767, to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts (S. Rept. 1497). p. S9931
20. OCEANOGRAPHY. Both Houses received and the Senate agreed to the conference report on H. R. 13781, to authorize continuation of the sea-grant college program through fiscal 1969 and 1970 (H.Rept. 1837) (pp. S10017, H8061-2). Senate conferees agreed to the House language to authorize "not to exceed the sum of \$6 million" for fiscal 1969, and the House conferees agreed to the Senate language to authorize "not to exceed the sum of \$8 million" for fiscal 1970.
21. APPROPRIATIONS. Passed, 71-3, with amendments H. R. 18785, military construction appropriations (pp. S9958-77, S9979-94). This bill includes funds for payment to the Commodity Credit Corporation on the remaining indebtedness for housing constructed in foreign countries with foreign currencies derived from the sale of surplus commodities. Conferees were appointed (p. S9994). House conferees have not been appointed.
22. HEALTH. Conferees were appointed on H. R. 15758, to amend the Public Health Service Act to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, and to provide for specialized facilities for alcoholics and narcotic addicts (pp. S9994-5). House conferees have been appointed.
23. FLOOD CONTROL. Agreed to the conference report on S. 3710, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes (pp. S9999-10002).

applicable to interferences with an individual's conduct of his business relations even though that interference were premised on or motivated by racial considerations.

Title I of the Civil Rights Act of 1968, 18 U.S.C. section 245(b)(3), which punishes threats or incidents of violence against businessmen "during or incident to a riot or civil disorder" also is inapplicable. That section is applicable only to acts which occur during or incident to a riot, and there is no indication that the acts that are the subject of the newspaper clippings can be so characterized.

Other provisions of Title I of the Civil Rights Act of 1968 provide penalties for intimidation on account of race or color of individuals in the exercise of certain enumerated rights such as attending school utilizing public accommodations and serving on juries. But this section would provide no penalty for intimidation of a businessman unless he were engaged in one of these enumerated activities and in addition it were clear that his participation in that particular activity was the reason for the harassment.

The matter that you have brought to our attention therefore does not appear to violate any laws administered by this Department. However I want to assure you that our policy with respect to enforcement of the civil rights laws is to investigate incidents we have cause to believe may involve violations of those laws regardless of whether such incidents involve harassment of whites by Negroes or Negroes by whites.

Sincerely,

STEPHEN J. POLLAK,
Assistant Attorney General,
Civil Rights Division.

[News release from the Department of Justice, July 29, 1968]

The Department of Justice filed suit today charging Roper Hospital in Charleston, South Carolina with discriminating against Negroes in violation of two sections of the Civil Rights Act of 1964.

Attorney General Ramsey Clark said the civil suit, brought in United States District Court in Charleston, alleged violations of the public accommodations and employment sections of the 1964 Act.

The Department sought a court order barring the private hospital from discriminating racially in admitting patients, hiring staff members or permitting use of any facility.

Roper Hospital has discontinued various federal financial assistance since enactment of the 1964 Act, which includes a section forbidding discrimination in federally-assisted programs.

But the Department said the hospital is covered by the public accommodations section because it contains a cafeteria and a snack bar.

The section, which lists eating facilities as being covered, also covers any establishment that houses a covered facility and purports to serve its patrons.

The suit said the hospital does not admit Negroes and furnishes them limited outpatient service on a racially-segregated basis.

It was also asserted that the hospital, which employs 523 persons, hires few if any Negroes as professional or clerical workers and provides racially-segregated facilities for its employees.

Negroes are employed exclusively or almost exclusively as orderlies, practical nurses, nurses' aides, service workers and unskilled laborers, the suit said.

Mr. NELSEN. Mr. Speaker, for the consideration of the District of Columbia revenue bill many factors were involved in conference.

The conferees did agree on a generous Federal payment set at the figure of \$90 million.

The conferees agreed on some adjustment of sales taxes applying to food and liquor sales.

One item long in dispute dealt with regulation of liquor sales in the District of Columbia.

Now that we have passed the Reorganization Act and a city council is provided, it can be argued with merit that rules and regulations relative to liquor sales in the District of Columbia, should be handled by the City Council.

The Congress should not be bogged down by the multitude of municipal problems we have to face.

I may say, however, that I did not support the amendment which transferred the authority for liquor sales to the District of Columbia Council, I took this position primarily because it is the declared objective of the Council to permit Sunday sales of liquor.

Many hold that we should exercise extreme care relative to the conduct of affairs in our Nation's Capital. I support that view.

I would point out that the remedy now rest with petition before the Council for clarification.

The majority of the conferees, however, supported the item in dispute and the conference report was recommended for adoption.

CONFERENCE REPORT ON S. 3638, DAIRY INDEMNITY PAYMENTS

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. POAGE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 15794, U.S. GRAIN STANDARDS ACT

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 15794) to provide for U.S. standards and a national inspection system for grain, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. POAGE (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Washington.

Mrs. MAY. Mr. Speaker, I just take this time to say there is no objection to the conference report on this side.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman kindly tell us which bill this is?

Mr. POAGE. This is the grain standards bill.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 10864, EXTRA-LONG-STAPLE COTTON, DIERKS FORESTS

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Could we have just a brief explanation of this bill?

Mr. POAGE. Yes, sir. I will be glad to.

This is a bill which when it went to the other body involved nothing more than the clearing of title to certain lands which at one time had been public lands and sold with an incorrect survey in the State of Arkansas. In the other body there was an amendment placed on the bill which added to it a change in the method of supporting extra-long-staple cotton, shifting that support from the present method, which is a loan of 48 cents a pound to the present system for upland cotton of a much lower loan of about 32 cents a pound plus a payment of an 8-cent payment and bringing that in line with the support payment on upland cotton.

At least according to the figures presented by the Department of the other

body there is a saving to the U.S. Treasury of some \$4 million or \$5 million a year. That saving would be achieved by reason of the fact that this bill limits the support to 90,000 bales of cotton and no more could be supported under this program. The payments would amount to approximately \$40 a bale. That cotton would not go into the loan, and you would have no losses except that direct payment.

Mr. GROSS. Will the gentleman yield for a brief comment?

Mr. POAGE. Certainly.

Mr. GROSS. I appreciate the statement of the gentleman that there may well be some economy in the amendment, but it would be my hope that the Committee on Agriculture as well as all other committees of the House would do everything within their power to resist this business of ungermane amendments being attached to meritorious legislation that the House sends to the other body.

I just do not like to see an ungermane amendment attached to this legislation. It would be my hope that in the future the great Committee on Agriculture would not go along with this procedure.

Mr. POAGE. I can assure the distinguished gentleman from Iowa that I am in complete agreement with his statement and I pointed out at the conference the same criticism. I believe I made the statement at that time that we were not going to come back to conference with them on any other actions of this kind if such procedure were undertaken to be followed in the future.

Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Washington [Mrs. MAY].

(Mrs. MAY asked and was given permission to revise and extend her remarks.)

Mrs. MAY. Mr. Speaker, I take this time merely to state as the ranking minority member of the Committee on Agriculture at the conference on this matter that we have no objection to the conference report.

Mr. POAGE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TO AMEND TITLE 10, UNITED STATES CODE, TO PRESCRIBE HEALTH CARE COST-SHARING ARRANGEMENTS FOR CERTAIN SURVIVING DEPENDENTS

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 18673) to amend title 10, United States Code, to prescribe health care cost-sharing arrangements for certain surviving dependents, and for other purposes.

The Clerk read the title of the bill.

The Speaker. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18673

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That chapter 55 of title 10, United States Code, is amended as follows:

(1) by adding the following new subsection at the end of section 1079:

"(g) When a member dies while he is eligible for receipt of hostile fire pay under section 310 of title 37, United States Code, or from illness or injury incurred while eligible for such pay, his dependents who are receiving benefits under a plan covered by subsection (d) of this section shall continue to be eligible for such benefits until their eligibility is otherwise terminated."

(2) by adding the following new section at the end thereof:

"§ 1088. Cost-sharing for certain dependents

"Notwithstanding any other provisions of this chapter, when a member dies while he is eligible for the receipt of hostile fire pay under section 310 of title 37, United States Code, or from illness or injury incurred while eligible for such pay, his dependents shall, for a period of one year following the date of his death, pay for benefits under this chapter on the same basis prescribed for the dependents of members of the uniform services who are on active duty."

(3) the analysis is amended by inserting the following item:

"1088. Cost-sharing for certain dependents."

SEC. 2. The amendments made by this Act shall be effective as of January 1, 1967.

(Mr. HARDY asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. HARDY. Mr. Speaker, the purpose of the bill is simply to see that dependents of servicemen are not suddenly faced with increased medical costs because the serviceman was killed in Vietnam.

When an active duty member dies his surviving dependents continue to be eligible for regular health care benefits but under a different cost-sharing arrangement. For civilian hospitals active duty dependents are required to pay the first \$25 or \$1.75 per day, whichever is greater. However, on the day following the death of an active duty member and for any subsequent period of hospitalization his surviving dependents are required under present law to pay 25 percent of the total cost of the care obtained.

Cases have come to the committee's attention where service wives were pregnant at the time their husbands died in Vietnam. Under present law if they subsequently receive their maternity care at civilian hospitals they would be charged as dependents of deceased personnel and would be required to pay 25 percent of all costs which would typically result in a cost to the woman of approximately \$150. This is in contrast to the usual cost of \$25 for maternity care of a wife whose husband is still alive.

This is a result not envisioned at the time the law was enacted. The bill would provide that for a 1-year period following the death of a serviceman while in the receipt of hostile fire pay, or from illness or injury incurred while eligible for such pay, charges for his dependents for medical care shall continue at the active duty dependent rate.

Additionally, the bill would continue the eligibility for care of a mentally retarded or physically handicapped spouse or child of a service member killed in Vietnam. The program of care of these mentally retarded and physically handicapped dependents is limited to depend-

ents of active duty personnel. Without the bill, therefore, the dependents would lose their eligibility under the program at the time the service member dies. The bill would continue the benefits under the program until eligibility was lost for reasons other than the serviceman's death.

The bill is retroactive to January 1, 1967, which is the commencement date of the program for assistance to mentally retarded and physically handicapped dependents.

The estimated annual cost of the bill is \$165,000.

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

[Mr. HALL'S remarks will appear hereafter in Extensions of Remarks.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PREVENT THE IMPORTATION OF ENDANGERED SPECIES OF FISH OR WILDLIFE INTO THE UNITED STATES

Mr. DINGELL. Mr. Speaker, I as unanimous consent for the immediate consideration of the bill (H.R. 11618) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no person shall import into the United States, its territories or possessions, or the Commonwealth of Puerto Rico, any species or subspecies of fish or wildlife or parts thereof which the Secretary of the Interior determines to be threatened with extinction, except as provided in subsection (b) of this section. A species or subspecies of fish or wildlife shall be regarded as threatened with extinction whenever the Secretary of the Interior finds, after consultation with the affected foreign country, and, when appropriate, with the International Union for the Conservation of Nature and Natural Resources, that its existence is endangered because its habitat is threatened with destruction, drastic modification, or severe curtailment, or because of overexploitation, disease, predation, or because of other factors. He shall, from time to time, publish in the Federal Register the names of the species or subspecies of fish or wildlife found to be threatened with extinction under this section.

(b) The Secretary may permit, under such terms and conditions as he may prescribe, the importation of any species, or subspecies of fish or wildlife or parts thereof that are threatened with extinction for zoological, educational, and scientific purposes.

(c) The Secretary of the Interior and the Secretary of the Treasury shall enforce the provisions of this section, including any regulations issued thereunder. Any person who



Public Law 90-475
90th Congress, H. R. 10864
August 11, 1968

An Act

82 STAT. 701

To authorize the Secretary of the Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Incorporated, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed to Dierks Forests, Incorporated, all of the right, title, and interest of the United States in and to the following described tract of land in the county of Saline, State of Arkansas:

Dierks Forests,
Inc.
Land conveyance.

Beginning at the northeast corner of the northeast quarter of the northwest quarter of section 1, township 1 north, range 18 west, fifth principal meridian;

thence west along the north boundary line of the east 20 acres of said northeast quarter of the northwest quarter to the northwest corner thereof;

thence south 5.85 chains along the west boundary line of said east 20 acres;

thence east 9.53 chains to the east boundary line of said east 20 acres;

thence north along the east boundary line of said east 20 acres to the place of beginning, containing 5.28 acres, more or less.

SEC. 2. The conveyance authorized by section 1 shall be made upon condition that Dierks Forests, Incorporated, shall execute and record a reconveyance to the United States of the following described land patented to Dierks Forests, Incorporated, on January 7, 1959, under patent numbered 1190250:

The southeast quarter of the southeast quarter of section 22, township 1 south, range 17 west, fifth principal meridian.

SEC. 3. Upon the reconveyance to the United States of the land described in section 2, the tract shall be held and treated as if it had not been patented.

SEC. 4. Section 347 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

Agricultural Ad-
justment Act of
1938, amendment.
Long staple
cotton, national
marketing quota.
66 Stat. 759.
7 USC 1347.

“(b) (1) The Secretary shall, not later than October 15 of each calendar year, proclaim the amount of the national marketing quota for the crop of cotton described in subsection (a) produced in the next succeeding calendar year in terms of the quantity of such cotton equal to the estimated domestic consumption plus exports for the marketing year which begins in such succeeding calendar year, less the estimated imports, plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks: *Provided*, That the Secretary may reduce the national marketing quota so determined for any crop for the purpose of reducing surplus stocks, but not below the minimum quota prescribed under paragraph (2) of this subsection.

“(2) The national marketing quota for any crop shall not be less than the amount of the import quota in effect on August 1, 1967, for the year beginning on such date for extra long staple cotton (one and three-eighths inches or more) in pounds converted to standard bales of five hundred pounds gross weight, established pursuant to section 22 of the Agricultural Adjustment Act (of 1933), as amended.

Minimum quota.

“(3) Notwithstanding the provisions of paragraph (1) of this subsection, the national marketing quota shall be the minimum quota under paragraph (2) of this subsection for each crop of such cotton for which the Secretary estimates that the carryover of American

64 Stat. 261.
7 USC 624.

82 STAT. 702

60 Stat. 596.
50 USC 98 note.

grown extra long staple cotton at the beginning of the marketing year for the crop for which the quota is proclaimed (excluding any such cotton in the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) will be more than 50 per centum of the estimated domestic consumption and exports of American grown extra long staple cotton for such marketing year: *Provided*, That the foregoing provisions of this sentence shall not apply for any crop for which the carryover so estimated is an amount equal to 50 per centum or less of the estimated domestic consumption and exports of American grown extra long staple cotton for the marketing year for such crop, and such provisions shall not apply to any crop following the first crop for which this proviso comes into operation.

"(4) The provisions of paragraphs (1), (2), and (3) of this subsection shall apply to the 1969 and each succeeding crop of cotton described in subsection (a) of this section."

Price support
payments.
71 Stat. 27;
72 Stat. 296.
7 USC 1441.

SEC. 5. Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out all of the first sentence following the words "except that", and substituting in lieu thereof the following: "notwithstanding any other provision of this Act, price support shall be made available to cooperators for the 1968 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 per centum or more than 100 per centum in excess of the loan level established for Middling one-inch upland cotton of such crop at average location in the United States (except that such loan level for extra long staple cotton shall in no event be less than 35 cents per pound) and, in addition, through price-support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 per centum or more than 90 per centum of the parity price for extra long staple cotton as of the month in which the payment rate provided for by this subsection is announced. Such payment with respect to any farm shall be made on the quantity of extra long staple cotton, determined in accordance with regulations prescribed by the Secretary, equal to either (1) for a farm on which the acreage planted to such cotton does not exceed an acreage determined by multiplying the farm acreage allotment by the price-support payment factor established by the Secretary for each crop, the actual production of such cotton on the farm, or (2) for a farm on which the acreage planted to such cotton exceeds an acreage determined by multiplying the farm acreage allotment by the price-support payment factor but does not exceed the farm acreage allotment, the actual production of such cotton on the farm attributable to the number of acres determined by multiplying the farm acreage allotment by such price-support payment factor. The Secretary shall establish the price-support payment factor for each such crop of extra long staple cotton by dividing the 1966 national acreage allotment for such cotton by the national acreage allotment proclaimed for such crop, except that such factor shall not be more than one. The Secretary shall provide for the sharing of price-support payments under this subsection among producers on a farm on the basis of their respective shares in the crop of extra long staple cotton produced on the farm, or the proceeds therefrom. The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

80 Stat. 1167.
16 USC 590h.

Extra long
staple cotton.
allotment
transfers.

66 Stat. 759.
7 USC 1347.

SEC. 6. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof to read as follows:

“(f) Notwithstanding any other provision of law, beginning with the 1968 crop of extra long staple cotton, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which an extra long staple cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him. No allotment shall be transferred under this subsection to a farm in another State or to a person for use in another State. The Secretary shall prescribe regulations for the administration of this subsection and may prescribe such terms and conditions as he deems necessary.

“(g) Notwithstanding any other provision of law, if the extra long staple cotton acreage allotment established for any farm for the 1968 and subsequent crops is greater than such allotment for the preceding crop, because of transfers under subsection (f) of this section or for any other reason, the soil conserving base established for the farm shall be reduced by the same number of acres that the allotment is increased for that year.”

Soil conserving base, reduction.

SEC. 7. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: “Notwithstanding any other provision of this section, effective August 1, 1968, the Commodity Credit Corporation shall make available during each marketing year for sale for unrestricted use at market prices at the time of sale, a quantity of American grown extra long staple cotton equal to the amount by which the production of such cotton in the calendar year in which such marketing year begins is less than the estimated requirements of American grown extra long staple cotton for domestic use and for export for such marketing year: *Provided*, That no sales shall be made at less than 115 per centum of the loan rate for extra long staple cotton under section 101(f) of this Act beginning with the marketing year for the first crop for which the national marketing quota for extra long staple cotton is not established under paragraph (3) of section 347(b) of the Agricultural Adjustment Act of 1938, as amended. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.”

American grown extra long staple cotton. Sale at market prices. 63 Stat. 1055. 7 USC 1427.

Ante, p. 702.

Ante, p. 701.

SEC. 8. Section 3 of Public Law 88-638 (78 Stat. 1038) is hereby repealed effective August 1, 1968.

Repeal. 7 USC 1852a.

Approved August 11, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1826 (Comm. of Conference).
SENATE REPORT No. 909 (Comm. on Agriculture & Forestry).
CONGRESSIONAL RECORD:

Vol. 113 (1967): Dec. 11, considered and passed Senate, amended.

Vol. 114 (1968): July 30, Senate adopted conference report.

Aug. 1, House adopted conference report.

